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TIGARD CITY COUNCIL  
MEETING

July 23, 2002 6:30 p.m.

TIGARD CITY HALL  
13125 SW HALL BLVD  
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Visitor's Agenda items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, Ext. 309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, x309 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A  
TIGARD CITY COUNCIL MEETING  
July 23, 2002

6:30 PM

- STUDY SESSION
  - > PRELIMINARY RESULTS OF BULL MOUNTAIN ANNEXATION SURVEY DISCUSSION
    - Community Development Staff
  - > CITY AFFORDABLE HOUSING PROGRAM DISCUSSION
    - Community Development Staff
  - > NEW LIBRARY FINANCING OPTIONS UPDATE
    - Finance Staff
- EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. BUSINESS MEETING
  - 1.1 Call to Order - City Council & Local Contract Review Board
  - 1.2 Roll Call
  - 1.3 Pledge of Allegiance
  - 1.4 Council Communications & Liaison Reports
  - 1.5 Call to Council and Staff for Non-Agenda Items
2. VISITOR'S AGENDA (Two Minutes or Less, Please)
3. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:

3.1 Receive and File: Updated Progress Report – Quarter 2 – Council Goals

- Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.

4. ACKNOWLEDGE COMPLETION OF THE NEW TIGARD LIBRARY CONSTRUCTION COMMITTEE'S MISSION AND COMMEND THE COMMITTEE MEMBERS FOR A JOB WELL DONE
  - a. Staff Report: Library Staff
  - b. Council Discussion
  - c. Council Consideration: Resolution No. 02-\_\_\_\_\_
5. FORM THE NEW LIBRARY RESOURCE TEAM AND APPOINT MEMBERS TO PROVIDE CITIZEN PERSPECTIVE DURING THE DESIGN AND CONSTRUCTION PHASES OF THE NEW TIGARD LIBRARY
  - a. Staff Report: Library Staff
  - b. Council Discussion
  - c. Council Consideration: Resolution No. 02-\_\_\_\_\_
6. UPDATE ON THE LIBRARY SERVICES TECHNOLOGY ACT GRANT: "HISPANIC YOUTH INITIATIVE"
  - a. Staff Report: Library Staff
  - b. Council Discussion
7. PUBLIC HEARING (QUASI-JUDICIAL) – CONSIDER AN ORDINANCE TO EXEMPT PROPERTIES THAT ARE ZONED MUR 1 OR 2 THAT WERE ZONED COMMERCIAL PRIOR TO MARCH 28, 2002, FROM MEETING CERTAIN REQUIREMENTS BEFORE BEING PERMITTED TO HAVE A COMMERCIAL USE

**REQUEST:** The request is to modify the existing Development Code language to exempt properties that were zoned commercial prior to March 28, 2002 from being required to meet minimum residential density requirements prior to being permitted to have a commercial use on the property. There are 10 parcels (5.25 acres) within the City of Tigard's portion of the Regional Center that this exemption will apply to and are impacted by this amendment. Approximately

1.63 acres were identified as vacant or re-developable in determining target capacity numbers for the Regional Center, therefore, the number of units that would be lost if no residential use were constructed on these lots is approximately 42 units (if minimum densities were constructed). **LOCATION:** The Washington Square Regional Center area is bounded generally by Fanno Creek on the west, SW Greenburg Road and Hall Boulevard on the east, Red Tail Golf Course to the north, and Highway 217, including the Ash Creek area on the southern border. The MUR 1 and 2 zones are located within the Regional Center, generally west of Hall Blvd and east of Ash Creek. **ZONE:** Mixed Use Residential (MUR) 1&2. **APPLICABLE REVIEW CRITERIA:** Community Development Code Sections 18.380.020, 18.390.060; Comprehensive Plan Policies 1.1.1, 2.1.1 2.1.2, 5.1 and 6.1.1; Statewide Planning Goals 1, 2, 9, and 10; and Metro Functional Plan Titles 1 and 7.

- a. Open Public Hearing
- b. Declarations or Challenges
  - Do any members of Council wish to report any ex parte contact or information gained outside the hearing, including any site visits?
  - Have all members familiarized themselves with the application?
  - Are there any challenges from the audience pertaining to the Council's jurisdiction to hear this matter or is there a challenge on the participation of any member of the Council?
- c. Staff Report: Community Development Department
- d. Public Testimony
  - For all those wishing to testify, please be aware that failure to raise an issue accompanied by statements or evidence sufficient to afford the Council and parties an opportunity to respond to the issue will preclude an appeal to the Land Use Board of Appeals on this issue. Testimony and evidence must be directed toward the criteria described by staff or other criteria in the plan or land use regulation that you believe apply to the decision.
    - Proponents
    - Opponents
    - Rebuttal
- e. Staff Recommendation
- f. Council Questions
- g. Close Public Hearing

h. Council Consideration: Ordinance No. 02- \_\_\_\_

8. PREVIEW TIGARD BLAST
  - a. Staff Report: Community Development Staff
  - b. Update from a Tigard Central Business District Association Representative
  - c. Council Discussion
9. LOCAL CONTRACT REVIEW BOARD PUBLIC HEARING – CONSIDER APPROVAL OF FINDINGS FOR AN EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENT TO QUALIFY THE CONSTRUCTION OF THE NEW TIGARD LIBRARY AS A CONSTRUCTION MANAGER/GENERAL CONTRACTOR (CM/GC) CONTRACT
  - a. Open Public Hearing
  - b. Summation by Engineering Staff
  - c. Public Testimony
  - d. Staff Recommendation
  - e. Council Discussion
  - f. Close Public Hearing
  - g. Consideration by Council: Local Contract Review Board Resolution No. 02 - \_\_\_\_\_
10. COUNCIL LIAISON REPORTS
11. NON AGENDA ITEMS
12. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(3), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
13. ADJOURNMENT

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AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF 7/23/02

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Preliminary Results of Bull Mountain Annexation Survey

PREPARED BY: Beth St. Amand DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

ISSUE BEFORE THE COUNCIL

The Bull Mountain Annexation Survey took place via phone with Bull Mountain and Tigard residents from July 8 through July 12. Although the consultants (Riley Research Associates) will still be finishing data analysis, they will be able to share preliminary results for this meeting.

STAFF RECOMMENDATION

No action necessary.

INFORMATION SUMMARY

The survey option was first introduced at the January 31 Bull Mountain Open House as a way to poll a representative sample of Bull Mountain residents on their attitudes toward annexation. After a review of possible annexation methods, the Council determined in April that both Bull Mountain residents and City residents should be surveyed. A request for proposals (RFP) for a public opinion survey consultant was issued in May, with Riley Research Associates selected in June. The final survey results will be presented at the August 20, 2002, Council meeting. A copy of the survey questions is attached.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management Goal #2, Urban services are provided to all citizens within Tigard's urban growth boundary and recipients of services pay their share.

ATTACHMENT LIST

Attachment 1: Phone Survey Questions

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FISCAL NOTES

N/A

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## **Attachment 1**

### **City of Tigard / Washington County Bull Mountain Annexation Public Attitude Survey**

July 9, 2002 (Version 4 - Final)

#### **Introduction**

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Hello, my name is \_\_\_\_\_ of Riley Research Associates, a local polling firm. Is \_\_\_\_\_ available? We are calling on behalf of the City of Tigard and Washington County to listen to your thoughts regarding the potential annexation of the Bull Mountain neighborhood into the City of Tigard, including those areas of Bull Mountain not already within the city limits. (IF NECESSARY) Are you 18 or older? (IF UNDER 18) Is there an adult available? (IF NO TIME) When would be a good time to call back?

ENTER VOTER PRECINCT (FROM LIST): \_\_\_\_\_ \*410 will only partially be included.

(IF TIGARD) According to our records, you currently reside within the boundaries of the City of Tigard. Is that correct? (IF NO – POLITELY DISCONTINUE) Yes –1

(IF BULL MOUNTAIN) According to our records, you currently reside in the unincorporated Bull Mountain area. Is that correct? (IF NO – POLITELY DISCONTINUE) Yes –1

(IF BULL MOUNTAIN AND PRECINCT #410) May I have your nearest cross streets?

#### **Awareness**

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Q1. Before this call, were you aware that the City of Tigard and Washington County were exploring the idea of Tigard annexing the Bull Mountain area?

Yes –1      No –2      Refused -9

Q2. (IF AWARE) From what you may have heard... (IF UNAWARE) would you say that you strongly support, somewhat support, somewhat oppose, or strongly oppose the annexation of Bull Mountain?

Strongly support –5      Some support –4      (Depends/Don't Know) –3      Some oppose –2      Strongly oppose –1      (Ref) -9

Q3. Why is that?

Q4. What questions or concerns do you currently have about the annexation?

#### **Scenario Testing**

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Washington County, Bull Mountain residents, and the City of Tigard have discussed the possibility of annexing those parts of Bull Mountain not already within city limits into the City of Tigard, making them an official part of

the city's population. Such annexation would involve a number of tradeoffs. I'm going to read a list of some of those tradeoffs, and after each one I'd like to know whether it makes you more likely to support or oppose the annexation.

How would you react to the following ... (READ AND ROTATE LIST) Does this individual statement make you more likely to support annexation or oppose it? (AFTER EACH) Would that be strongly or somewhat (support/oppose)?

	Strong Support	Some Support	Neutral/ DK	Some Oppose	Strong Oppose	NA/ Refused
Q5. Annexation would increase property taxes for Bull Mountain residents to pay for their share of city services.	5	4	3	2	1	9
Q6. Annexation would replace the Enhanced Sheriff's Patrol with Tigard police for Bull Mountain and eliminate the Enhanced Sheriff Patrol tax	5	4	3	2	1	9
Q7. Annexation would include BM residents in the tax base to help pay for Tigard's new library <u>building</u> , while all Washington County residents would <u>continue</u> to pay for library <u>services</u>	5	4	3	2	1	9
Q8. Once annexed, new development on BM would contribute money for the development of parks and preservation of open-spaces	5	4	3	2	1	9
Q9. Bull Mountain residents would begin to share the cost of providing streets and roads in Tigard, but would no longer pay Washington County's urban road maintenance or streetlight district fees	5	4	3	2	1	9
Q10. As part of Tigard, BM residents would gain a higher level of political representation and would likely see more of their tax dollars used on local projects vs. countywide projects	5	4	3	2	1	9
Q11. Annexation may occur with majority support from within Tigard, regardless of whether or not Bull Mountain residents support the idea	5	4	3	2	1	9
Q12. Decisions regarding school boundaries, zoning, and density levels would stay the same for Tigard and BM because the City already manages these issues	5	4	3	2	1	9

Q13. Annexation would result in a higher level of code enforcement for BM residents      5      4      3      2      1      9

Q14. Now, having heard a variety of the issues discussed, would you say that you strongly support, somewhat support, somewhat oppose, or strongly oppose the annexation of Bull Mountain?

Strongly support -5    Some support -4    (Depends/Don't Know) -3    Some oppose -2    Strongly oppose -1    (Ref) -9

Q15. Which of the issues are most important to your decision? (Or) What other comments or questions do you have?

## Communications & Demographics

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Q16. How do you generally learn what's going on in local government? (DO NOT READ LIST)

Tigard Times	-01	Word-of-mouth	-06	KKCW/K103	-11
Noticias en Espanol	-02	Internet/Web	-07	NPR/OPB	-12
Oregonian	-03	KUIK Radio	-08	Cityscape Newsletter	-13
El Hispanic	-04	Public access TV	-09	Don't know	-18
County newsletters	-05	TV News	-10	Refused	-19
				Other (list):	-20

Q17. How long have you lived at your current residence? \_\_\_\_ years ("01" for <one year/"99"=Ref)

Q18. And do you rent or own your home?    Rent -1    Own -2    Refused -9

Q19. What is the highest level of education you have had the opportunity to complete?

High school or less	-1	4-year College	-3	Refused	-9
Some college/trade	-2	Graduate school/more	-4		

Q20. Do you have children under age 18 living in your household?    Yes -1    No -2    Refused -9

Q21. And finally, if you don't mind my asking, into which of the following categories does your annual household income fall? (READ LIST)

Under \$25,000	-1	\$50-\$75,000	-3	\$100-\$150,000	-5	DK / Refused	-9
\$25-\$50,000	-2	\$75-\$100,000	-4	Over \$150,000	-6		

**That concludes our survey. On behalf of the City of Tigard and Washington County, I would like to thank you very much for your participation!**

Q22. RECORD GENDER (Don't ask) <sup>275</sup>: Female – 1 Male – 2

Q23. RECORD AGE:

18-24 -1 25-34 -2 35-44 -3 45-54 -4 55-64 -5 65+ -6 Refused -9

Q24. RECORD TIMES VOTED (In General & Primary, 1998 & 2000):

Phone number: \_\_\_\_\_ Interviewer name: \_\_\_\_\_

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF 7/23/02

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE City Affordable Housing Program

PREPARED BY: Duane Roberts DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Staff have prepared for Council review a draft report that describes City policies, goals and actions related to the provision of affordable housing in Tigard.

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STAFF RECOMMENDATION

Review and provide comments on a draft affordable housing report.

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INFORMATION SUMMARY

One of the 2002 Council Goals is to "Consider ways to support the provision of affordable housing". The attached draft report is intended to describe the approach the City is taking to address this goal. Along with the various Comprehensive Plan policies and community vision goals and strategies related to affordable housing, the report includes a compilation of all the initiatives undertaken by the City to date that emphasize and encourage affordable housing and serve to meet the Council goal.

The focus of the City program is on households earning 50% and below of the region's median income. This is generally recognized as the income group having the greatest need for affordable housing. In keeping with federal guidelines, housing is defined as affordable when a household spends no more than 30% of its gross income on rent and utilities. During 2001-2002, Council considered affordable housing during a series of four workshops and one budget committee meeting.

Staff will return to Council on September 24, 2002 for adoption of the finalized report.

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OTHER ALTERNATIVES CONSIDERED

N/A

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management, Goal #3: Partnerships for advocacy for development of additional units and preservation of affordable housing are encouraged and supported by the City and the community.

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ATTACHMENT LIST

Attachment #1: Affordable Housing Program

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FISCAL NOTES

The draft report does involve any actions relative to the allocation of any new City dollars.

i/citywide/sum/affordable housing policy

*Draft*



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JULY 2002

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# I. executive SUMMARY

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## *Why is affordable housing an important issue?*

Having a home is one of the most fundamental human needs. A home represents shelter, safety, and security. While Washington County is one of the most affluent areas of the state, many families find it difficult to obtain safe, decent, and affordable housing. Housing cost burdens are especially severe among households with low incomes. Elderly and large family renters are the most likely to experience housing problems, such as living in unaffordable, overcrowded, or substandard housing. The lack of sufficient affordable housing opportunities reduces overall livability and economic viability for all residents.

## *What is affordable housing?*

The accepted definition of affordable housing found in federal and state programs is housing that costs a household no more than 30% of its gross income for rent and utilities. The shortage of affordable housing most affects households earning 50% or less of the region's median income. Tigard's twenty-year, 1997-2017, Metro-determined need for affordable housing among this income group is 3,205 new units.

## *Does Tigard meet state and regional affordable housing mandates?*

Tigard complies with all state and regional policies that relate to affordable housing. These include, most importantly, Statewide Planning Goals 10-Housing and 14-Urbanization, the State Metro Housing Rule; and the Metro Urban Growth Management Functional Plan (Title 7).

## *Who provides affordable housing in Tigard?*

The Washington County Housing Authority owns and manages 224 public housing units within the Tigard city limits. The agency also administers key federal rent voucher and low-interest loan housing assistance programs within Tigard as a local government unit. The State Housing and Community Services Division administer a federal tax credit program to private housing providers, including the providers of some 600 units in Tigard. Two non-profit affordable housing corporations own and manage a combined 262 units within and adjacent to Tigard. The majority of households served by these various public and private affordable housing activities have incomes at 50% or below of median income.

## *How has Tigard addressed the issue of affordable housing?*

Various Tigard Comprehensive Plan policies and *Tigard Beyond Tomorrow* community vision goals and strategies support the provision of affordable housing. The City of Tigard program to address the Council Goal of *Consider(ing) ways to support the provision of affordable housing* includes these policies and vision statements and specific land use and non-land use program measures. These measures include pre-existing measures and new measures adopted by Council during a comprehensive, four-meeting review of potential policies and strategies to improve opportunities for the development of affordable housing. The following are the steps Tigard has taken to address the affordable housing issue.

## ***Affordable Housing Program***

### **Land use strategies adopted**

- An updated and streamlined development review process completed
- Reduced parking requirements for affordable housing projects implemented
- Allowance of accessory dwelling units, which benefit the elderly and disabled

#### **Non land use strategies implemented**

- Tax abatement for affordable housing instituted
- A budget set-aside to reduce fees and charges imposed on affordable housing development established
- Support for sale or donation of tax foreclosed and surplus County and City-owned properties to non-profit housing providers initiated
- Financial support for the operation of the Tigard-based Good Neighbor Center homeless shelter established
- Identification and pursuit of available grants to finance needed on- and off-site public improvements, such as sidewalks, streets, and storm sewers, serving affordable housing areas or projects instituted
- The Housing Inspection Program to maintain the quality of the City's existing housing stock developed
- The Housing Emergency Fund to assist occupants of housing declared to be unsafe or uninhabitable established
- The Enhanced Safety Program, administered through the Tigard Police Department, to improve the safety of rental properties instituted
- Membership in the County-wide Housing Advocacy Group initiated

## II. INTRODUCTION

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One of the 2002 Tigard City Council goals is to: *Consider ways to support the provision of affordable housing.* The present report describes the approach the City is taking to address this goal. The first part of the report provides basic information on: the local need for affordable housing, state and regional housing promotion policies, and the present providers of affordable housing in Tigard. The main part of the report is a description of the range of existing City policies and past and present actions related to the provision of affordable housing in the Tigard community. The policies discussed include relevant Comprehensive Plan policies and *Tigard Beyond Tomorrow* goals and strategies. The actions discussed include land use and non-land use measures taken to implement the affordable housing policies and goals. The report also includes a description of approaches considered but not taken by Council to facilitate affordable housing. Taken together, the various adopted policies, goals, and actions describe how the City is supporting the provision of affordable housing in the community. These efforts make up the City's official affordable housing program.

## III. affordable housing NEED

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The US Department of Housing and Urban Development (HUD) defines affordable housing as costing a household no more than 30% of its gross income. For renters, housing costs include

rent and utilities. For homeowners, it includes principal, interest, taxes, and property insurance, if applicable. A household is defined as all of the people, including unrelated people, who occupy a house, apartment, or mobile home.

According to 2000 Census data for Tigard, 2,775, or 41%, of renter households and 2,030, or 23%, of homeowner households spend more than 30% of their incomes on housing costs. In terms of the HUD national standard, these figures reflect the overall need for affordable housing in Tigard for all income levels. A profile of regional and local level affordable housing needs at particular income levels is scheduled to be tabulated from the 2000 Census by the PSU Population Research Center and made available early next year.

According to Washington County and Metro housing studies, the income group with the greatest need for affordable housing are those earning 50% or less of median income. Rents affordable to households at different income levels and sizes are available from HUD published tables. The 2002, 50% of median income standard established by HUD for the Portland metropolitan area is shown in the chart below, along with the corresponding rents that would be affordable to households at those income levels and persons per household. By way of comparison, Tigard's 2000 median income for households of all sizes was \$51,581. Median household size was 2.5.

*Affordable Housing Standards for Low Income Households*  
Portland Metropolitan Statistical Area, 2002

Number of Persons in Household	50% of Median Income	Affordable Monthly Rent/Mortgage plus Utilities (30% of Income)
1	\$20,000	\$500
2	22,900	573
3	25,750	644
4	28,600	715
5	30,900	773
6	33,200	830
7	35,450	886
8	37,750	944

Metro is the elected regional government that covers Clackamas, Multnomah, and Washington Counties. Metro's Urban Growth Management Plan provides the basis for coordination of local comprehensive plans and implementing regulations. In January 2001, Metro Council amended the Urban Growth Management Plan to include an affordable housing section (Title 7). The section focuses on the 50% of median group. According to the resource information upon which this section is based, Tigard's twenty-year, 1997-2017, Metro-determined unmet need for affordable housing among this income group is 3,205 new units.

Another indicator of local housing need is the waiting list for housing units owned and managed by the Washington County Housing Authority. In June 2002, the list included 677 households with Tigard-area zip codes and the estimated wait for eligible new applicants was six to eight years.

These data indicate the magnitude of the local need for affordable housing. The policies and actions of Tigard in response to this need are described below, after a discussion of existing state and regional housing promotion policies and a description of local public and non-profit housing providers.

## IV. state & regional POLICIES

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Several state and regional policies address affordable housing. These include, most importantly, Statewide Planning Goals 10 - Housing and 14 - Urbanization, the State Metro Housing Rule, and the Urban Growth Management Functional Plan (Title 7).

Statewide Goal 10: Housing, "To provide for the housing needs of the citizens of the State", was adopted in 1973 as part of the Statewide Planning Program. The basic requirements of this rule are:

- Buildable lands inventory must ensure that there is sufficient residential land available.
- Comprehensive plans shall encourage adequate number of housing units at price and rent levels that are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density

Statewide Goal 14 - Urbanization, "to provide for an orderly and efficient transition from rural to urban land use", also was adopted in 1973. This goal mandates that:

- Establishment and change of urban growth boundaries will be based on consideration of the need for housing as well as jobs and other urban land uses.

Tigard's Comprehensive Plan has been formally acknowledged to be consistent with the statewide rules. The City complies with this goal by allowing smaller single family housing and options for attached and manufactured housing.

The State Metropolitan Housing Rule, adopted in 1981, requires that all Portland metropolitan area jurisdictions allow for a mix of housing types and meet minimum residential development density. The rule requires Metro to:

- Coordinate local comprehensive plans to meet the projected housing need.
- Provide for an appropriate housing mix and range of affordability.
- Maintain minimum average densities and mixes to provide for the efficient use of buildable lands.
- Designate sufficient buildable land to provide the opportunity for at least 50% of new residential units to be attached single family or multi-family housing.
- Meet minimum residential development density, which, as applied to Tigard, is 10 units per net buildable acre.

In order to comply with the rule, the City amended its Comprehensive Plan and implementation ordinance to allow residential development densities of ten units per net developable acre and an overall 50/50 single family/multi-family housing mix.

As mentioned, in January 2001, the Metro Council amended the Urban Growth Management Functional Plan to include Title 7: Housing and Affordable Housing. The Title recommends changes to City and County policies related to affordable housing. It also establishes mandatory requirements that local governments must undertake as part of Metro's regional planning effort. The focus of this effort is on households earning 50% or less of median household income. In order to monitor local goal progress, Metro has designed a three-year reporting schedule:

*January 2002.* Local governments are required to consider adoption of:

- I. A voluntary housing production goal established by Metro for each jurisdiction within the region;
- II. Comprehensive plan changes that ensure a diverse range of affordable housing types, maintain the existing supply of affordable housing, and increase opportunities for new affordable housing;
- III. Seven specific tools and strategies identified in the Regional Housing Strategy Plan. These include:
  1. allowing density bonuses
  2. providing for replacement housing
  3. encouraging voluntary inclusionary zoning
  4. allowing for transfer of development rights
  5. addressing elderly/disabled housing needs
  6. correcting existing regulatory constraints
  7. reviewing surface parking requirements
- IV. Other land use and non-land use tools that promote affordable housing.

*January 2003.* Local governments are required to submit a report on the status of comprehensive plan amendments and adoption of land use related affordable housing tools.

*January 2004.* Local governments are required to report on the amendments to the comprehensive plan, the outcomes of affordable housing tools implemented, and developed, or expected affordable housing.

The City has fulfilled its first year or 2002 obligations under Title 7. It has submitted the required progress report that describes how the City meets or could meet each of the four 2002 objectives. Within the report is a discussion of five Metro-recommended tools and strategies considered but not adopted by Council. The following is a description of the approaches that Council decided were not appropriate for Tigard:

#### 1. Affordable Housing Production Goal

During 2001-02, City Council considered the utility of setting a voluntary affordable housing goal for the community, but took no formal action regarding the adoption of such a goal. Council's view was that, while adoption of a benchmark goal might help highlight the need for more affordable housing, it would not in and of itself result in the production of additional units.

#### 2. Density Bonus

A density bonus is a land use incentive that allows a developer to construct more units than otherwise would be allowed in a specified residential zone in exchange for the provision of affordable housing units.

In order to implement a density bonus program, a City/developer agreement and periodic monitoring would be needed to make sure the units are rented at affordable rates and rented to

households who have incomes falling within the range established by the City. Also, periodic updating of the income levels would be necessary. The administration and monitoring requirements of a density bonus program would require considerable staff time and expertise. For this and other reasons, Council considered, but did not adopt this tool.

### 3. Transfer of Development Rights

Transfer of Development Rights (TDR) is a zoning strategy designed to direct development from one site to another in order to preserve a publicly valued (and typically natural) resource. As applied to housing, it allows the transfer of unused density or development potential from one site to another.

Council has discussed the TDR concept, but taken no action with regard to its implementation. In addition to presenting administrative difficulties, this measure does not appear to be needed at this time.

### 4. Replacement Housing

Replacement housing is the concept that affordable housing units lost through demolition or conversion must be replaced by an equal number of similarly sized, priced, and located units by the agency or individual deemed responsible for the loss of the original units.

An inventory of existing housing would be required to implement this tool. As a practical matter, the City does not have an inventory of affordable housing and the creation of such an inventory would require considerable staff time. Moreover, a replacement housing requirement could discourage individuals from undertaking in-fill development. Council considered, but did not endorse this tool.

### 5. Inclusionary Housing

In its various forms, inclusionary housing is a mandatory requirement or voluntary objective that assigns a percentage of housing units in new residential developments to be sold or rented to lower or moderate-income households at an affordable levels. Most inclusionary housing programs rely on a combination of incentives. These can include a density bonus, fee waivers, or reduced impact fees. In 1999, the State enacted a law prohibiting mandatory inclusionary housing in Oregon. Council has declined to support a voluntary program.



## V. local housing PROVIDERS

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The City does not itself develop or acquire affordable housing within the community. The public body responsible for providing affordable housing opportunities for the low-income residents of Tigard and the County as a whole is the Washington County Housing Authority. Tigard has a renewable, ten-year cooperative agreement with the Housing Authority that allows the agency to build and/or purchase and manage affordable housing inside the City. Currently, the agency owns and manages 224 units located within the City limits. Along with smaller projects, these include the Colonies Apartments, acquired in late-2001, and the Bonita Villa Apartments, formerly Tiffany Court, acquired in mid-2002. (It is of interest that as of July 2002 the agency was proposing to invest \$800,000 in the rehabilitation of the second mentioned complex, which is located along Bonita Road opposite a new grant-funded City park, proposed for development during 2002-03.)

In addition to its role as a public housing developer, the agency administers two key federal housing assistance programs within Washington County. These programs involve the provision of rent vouchers to low income households and of low-interest loans to non-profit housing providers for affordable housing development. The rent vouchers can be used for the rental of any safe and sanitary housing unit. The program pays the difference between the rent level and 30% of income, up to a reasonable rent standard. A third key federal housing program is administered by the State Housing and Community Services Division and provides tax credits to private housing providers.

As of early 2002, Tigard's inventory of subsidized affordable housing included the following units and programs. As indicated, because a rent voucher holder may live anywhere, including in a public housing or privately-owned tax credit unit, some overlap exists between the number of rent voucher holders and number of housing units. An important qualification in terms of target population is that whereas almost all rent voucher holders have incomes at or below the 50% of median level, Housing Authority units serve a variety of income levels. On average, somewhat more than half of these units are rented to households with incomes at 50% of median or lower. The federal tax credit program is targeted at households earning at or below 60% of median income.

- Washington County Housing Authority/State Housing Division
  - single family & duplex housing 32 units
  - The Colonies 96
  - Bonita Villa 96
  - Rent vouchers to households 180 vouchers
  - Federal tax credits to private providers 600 units
  - Total units/vouchers/credits 1,004**

Other affordable housing providers who own and manage units in Tigard include the private non-profit housing corporations Community Partners for Affordable Housing (CPAH) and the Tualatin Valley Housing Partners (TVHP). As of early 2002, Tigard's inventory of private non-profit affordable housing included the following. It should be noted that one of the apartments, Metzger Park, is not located in Tigard but is adjacent to the City limits. The majority of rent levels in the non-profit units are set to be affordable to the 50% of median and below group.

- Non-Profit Housing Corporations
    1. CPAH
      - Greenburg Oaks 84 units
      - Metzger Park (unincorporated Metzger) 32
      - Village at Washington Square 26
      - Single family house 1
    2. TVHP
      - Hawthorn Villa 119
- Total 262 units**

As suggested, because of lack of available data on the overlap between voucher and tax credit programs, on the one hand, and public and private housing units, on the other, it is not possible to determine the number of unduplicated assisted units located in Tigard. However, despite the difficulty of putting together a spreadsheet of the City's housing stock and of whom it serves, it is very significant to note that during the 12-month period from mid-2001 to mid-2002, the inventory of Housing Authority and private non-profit units increased dramatically from 286 to 505 units, in the form of three new housing projects.

## VI. policies, goals, & STRATEGIES ◆

Tigard has adopted Comprehensive Plan policies, Community visioning goals and implementation strategies intended to improve opportunities for development of affordable housing. These various policies, goals, and strategies are described below.

### Comprehensive Plan

The Tigard Comprehensive Plan includes two policies, 6.1.1 and 6.2.1, that address housing. Under each policy are implementing strategies designed to fulfill the City's housing objectives.

*6.1.1 The City shall provide an opportunity for a diversity of housing densities and residential types at various prices and rent levels.*

Implementation strategies include:

- Establish a "broad range of zoning districts that allow for a variety of housing types, and comply with the Metropolitan Housing Rule".
- Allow for manufactured homes in all the zoning districts.
- Provide for opportunities for proposals to develop specialized housing for the area's senior citizens and handicapped based on the needs of these groups by allowing special needs housing for these groups in all development districts.
- Coordinate with the Washington County Housing Authority, HUD, and other agencies for the provision of the subsidized housing programs.

*6.2.1 The City shall develop clear and concise development regulations and standards to facilitate the streamlining of development proposals, and will eliminate unnecessary provisions which could increase housing costs without corresponding benefit.*

Implementation strategies include:

- The Tigard Code shall include a clear and concise process for the review and approval of development proposals.
- The City shall seek ways to minimize the cost of housing by encouraging a variety of home ownership alternatives, such as, but not limited to, townhouses and condominiums.

In brief, the City's Comprehensive Plan contains policies and a range of implementation strategies designed to fulfill the City's housing objectives. Highlights are that the City establishes 1-, 2-, 3.5-, 4.5-, 7-, 12-, 25-, 40- unit per acre residential land use districts that provide development opportunities ranging from detached single-family to high-density multi-family units. (Parenthetically, it should be noted that the City's supply of vacant land zoned R-40 appears to be exhausted. This is a density required by many non-profits in order to develop projects affordable to the 50% of median group. With respect to this problem, the Community Development Code allows land designated for development at the R-25 density to be upgraded to R-40, provided

applicable code criteria are met. Although more difficult to justify, the code also allows for the upzoning of R-12 to R-40, subject to the applicable Comprehensive Plan criteria and approval process.) Manufactured homes are a type of detached housing that are more affordable than site built housing. The City allows this type of housing in all the residential zoning districts.

Specialized housing to meet the needs of the elderly and handicapped also is allowed in all the residential zoning districts. These are groups that generally need access to affordable housing. In addition, the City allows transitional housing (public or non-profit group housing with tenancy of less than one month) in most residential zones.

### Community Vision Goals

*Tigard Beyond Tomorrow* is a detailed community-visioning document that defines the City's long term goals. It includes direction statements and goals for each of six "target areas". One of the six target areas is "Growth and Growth Management", defined as what Tigard will look like twenty years from now. Under this target area is a major goal that relates to affordable housing.

***Growth and Growth Management, Goal #3: Partnerships for advocacy for development of additional units and preservation of affordable housing are encouraged and supported by the City and the community.***

Under the goal are strategies, action plans, and progress details. The following list of strategies and action plans includes updates contained in the *Tigard Beyond Tomorrow, 2001 Progress Report*.

**1) Strategy: Implement a program to educate Tigard citizens about the importance of affordable housing.**

Action Plans:

- Start community dialogue on affordable housing issues.
- Define community goals for affordable housing.
- Develop and implement outreach program.
- Ensure that mobile homes are considered affordable housing.
- Ensure the public is aware of available housing resources.

**2) Strategy: Make incentive programs available to providers of affordable housing units.**

Action Plans:

- Study committee consider targeting financial incentive to specific areas of the City.
- Council consider and implement recommendations of study committee.
- Develop outreach program to "advertise" incentives.

**3) Strategy: Review City's zoning code and Comprehensive Plan policies to provide maximum opportunities for affordable housing.**

Action Plans:

- Consider minimum densities, inclusionary zoning and density bonuses as tools to encourage affordable housing.
- Develop a mechanism to track affordable housing units constructed.

**4) Strategy: Incorporate affordable housing policies into study of downtown, Washington Square, and other mixed use areas.**

Action Plans:

- None, strategy achieved

**5) Strengthen ties between City, Washington County, and other Washington County cities to jointly provide affordable housing services.**

Action Plans:

- Hold summit on affordable housing with policy makers, develop community and technical resources to identify issues.
- Summit follow-up to consider jointly providing technical assistance for affordable housing developers.
- Consider increase in number of Washington County subsidy units allowed in Tigard.

Briefly stated, the Progress Details portion of the community visioning progress report indicates that the City has made important advances in addressing these strategies:

- The City participates in the Countywide Housing Advocacy Group, which promotes affordable housing efforts in the County, with a focus on public education.
- The Community Development Code allows manufactured dwelling units in all single family residential areas.
- The City provides a property tax exemption to low income housing.
- The City identifies and pursues grants to improve roads and sidewalks serving affordable housing projects and areas.
- A minimum density requirement in all residential districts of 80% of allowed density is in place.
- The Washington Square Regional Center Plan provides the opportunity for increased density, while Citywide housing policies apply to the downtown.

## VII. affordable housing PROGRAM

The City has taken a number of actions in order to facilitate affordable housing in the community in accordance with the Comprehensive Plan, visioning report, and Council goal of *Consider(ing) ways to support the provision of affordable housing*. These include land use and non-land use actions. The major land use actions taken to date are discussed below, followed by a description of non-land use actions. Under each action is a description of the particular problem or barrier addressed. Together, these actions form the City's approved affordable housing program.

### LAND USE ACTIONS

#### ***Elderly and disabled housing***

**Problem:** According to a recent study, half of elderly renters in Oregon spend over 35% of income on rent. A majority of people with disabilities are at 30% or less of median household income.

The City historically has been and continues to be willing to consider tools that support the development of housing for the elderly and people with disabilities. In 1998, the Tigard Community Development Code was revised to allow accessory dwelling units, or so-called granny flats. Accessory dwellings often provide an affordable housing option for the elderly. Group care facilities are permitted in all of the residential districts and in the City's two mixed-use districts. Mixed-use developments provide access to key services needed by these groups.

#### ***Comprehensive Plan and implementing ordinance changes that remove unnecessary constraints, discrepancies, and streamline the permitting and approval processes.***

**Problem:** Delays in the permitting and approval process force builders and developers to pay extra interest on borrowed money. This increases the overall cost of housing. Discrepancies in planning and zoning codes can impact the cost of development by reducing the number of units that can be built on a parcel.

A top priority of the City has been to find ways of streamlining and expediting the approval process. As a major example, in 1997-98, the City undertook a yearlong effort to re-write and improve the user-friendliness of the Development Code. A consultant was hired to assist with this effort. The Code, as currently written, contains clear and objective standards. Staff regularly propose "housekeeping" Development Code amendments intended to remove or revise standards that are unnecessary, conflict with other provisions, or are not as clear and objective as they were intended. The City's development permit procedures promote efficient and effective review of affordable housing projects.

#### ***Parking***

**Problem:** Parking can be a large component of developing housing. Parking spaces are expensive to provide where land values are high.

Parking is an important cost consideration in the provision of affordable housing. In 1998, the City changed the Community Development Code to allow adjustments to parking requirements for projects serving special resident populations, including affordable housing projects. The rationale

for the affordable housing adjustment was a local study showing that low-income people generally own fewer cars and use transit more than the general population. Individual projects can apply for the exemption.

## **NON-LAND USE ACTIONS**

In addition to the land use strategies described above, the City uses a number of non-land use approaches to increase the supply of affordable housing. The goal of these approaches is to reduce the cost of producing affordable housing.

### ***System Development Charges/Permit fees***

**Problem:** System Development Charges and permit fees increase the cost of building housing and are required up front which increase the amount of money a developer needs to start a project. Typical fees and charges imposed on a single family house in Tigard are in the \$10-11,000 range. A typical multi-family housing project is assessed approximately \$3,000 per unit in fees and charges.

System development charges (SDCs) are collected for improvements to water and sewer systems, parks, roads, and other infrastructure. The purpose of the SDCs is to impose an equitable share of the cost of future capital facility needs upon those developments that create the need for or increase the usage of those facilities. Of the five SDCs that apply to development within Tigard, the City imposes only two, the park and water SDCs. The other SDCs are imposed by other agencies, such as Clean Water Services and Washington County. In 2001, the City provided a special, one-time park SDC fee reimbursement of \$8,000 to a non-profit housing provider. As part of the 2002-03 budget process, Council established a set aside within the Social Services and Events Fund to offset fees and charges on affordable housing development. The first-year set-aside amount is \$10,000.

### ***Property Tax Exemption***

**Problem:** Property taxes add to the cost of operating affordable housing and are passed on to tenants in the form of higher rents.

Property tax exemptions allow the owners of targeted low-income housing to reduce rents or allow homeowners to reduce monthly housing costs. Tigard has provided a tax abatement program for owners or leaseholders of property used to provide affordable housing within the City since 1996. In addition to the City process, the housing provider must make separate application to overlapping jurisdictions that represent a minimum of 51% of the taxes levied on the property in question before the Washington County Tax Assessor can certify the abatement. The property tax exemption must be applied for each assessment year. As of mid-2002, three projects received the exemption.

### ***Land Cost and Availability***

**Problem:** The supply of land available to develop for housing is limited and land costs are high.

One way the City is dealing with the land supply problem is by supporting the active implementation of the County's policy of re-selling at below market cost or donating tax foreclosed properties to non-profits for affordable housing development. The procedures established by the County for the disposal of these properties to eligible housing providers include a requirement that the project have the support of the affected local jurisdiction.

### ***Other Non-Land Use Strategies***

In addition to the non-land use actions highlighted above, Tigard has and continues to employ a number of other ongoing and one-time non-land use strategies to support and/or reduce the cost of producing affordable housing.

- During the five year period, 1997-2002, the City provided rent-free office space to Community Partners for Affordable Housing (CPAH), the Tigard-based non-profit housing provider, in a City-owned building. The value of the space, which CPAH shared with Neighborshare, was estimated at \$8,000 annually.
- During the mid- to late-nineties, the City applied for and received three Community Development Block Grants (altogether \$460,000) to improve the roads and sidewalks bordering the CPAH owned and managed Greenburg Oaks low income housing project. In 1998, the City was awarded a \$60,000 grant to improve the storm drainage facilities within a low income neighborhood. The City continues to look for grant opportunities to fund needed public improvements serving low income neighborhoods and housing projects.
- The City financially supports the Good Neighbor (homeless) Center located on Greenburg Road, contributing \$15,000 annually to the agency's operating budget from the Social Service and Community Events fund. This fund is set at .5% of the prior year's operating budget.
- In the late nineties, after two years of work by a task force composed of tenant, landlord, and community representatives, Tigard implemented a Residential Property Maintenance Code, becoming only the fourth city in Oregon to do so. The City's intent in setting up the code and in hiring a full-time Housing Inspector to administer it was to insure continued safe and sanitary housing.
- The "Housing Emergency Fund" was established in 1999 to assist occupants of housing declared to be unsafe or uninhabitable. For fiscal year 2002-03, the fund amount is \$10,000.
- Two years ago, the City established the Enhanced Safety Program (ESP). This is a three-phase program designed to reduce crime and increase the livability of rental properties. The phases include landlord training, a security assessment, and tenant crime prevention training. The CPAH owned Greenburg Oaks and Village at Washington Square apartments participate in this program. One of the proposed requirements for the new program to offset fees and charges on affordable housing development is that the project sponsor must guarantee that the project will be enrolled in the ESP and maintain certification for the life of the housing structure.



- The City is a member of the Housing Advocacy Group (HAG), contributing \$500 in annual dues. The HAG was established in late 1999 and focuses on Washington County housing advocacy issues. The group monitors affordable housing throughout Washington County and sponsors a periodic housing symposium, designed to educate the public about housing issues. Present members include the three County-based low income housing corporations; various other non-profit organizations, such as handicapped and elderly service providers; the County Housing Authority; the State Housing Agency; HUD; and the Cities of Beaverton and Tigard. City staff have participated in the HAG monthly meetings since early 2000. These meetings assist staff in staying abreast of County and regional housing issues and activities.

## VIII. CONCLUSION

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This report details the approach the City is taking to meet the Council goal of *Consider(ing) ways to support the provision of affordable housing*.

The City's guiding documents relative to affordable housing policy are the *Tigard Comprehensive Plan* and the community visioning report, *Tigard Beyond Tomorrow*. The Comprehensive Plan policies reflect the City's commitment to maintaining a variety of housing choices and to removing barriers to the development of affordable housing. The community visioning goals and strategies reflect citizen support for the application of a variety of locally appropriate measures to promote affordable housing.

The action program followed by the City as a means to make progress toward maintaining and increasing the supply of affordable housing includes:

- Allowing accessory dwelling units
- An updated and streamlined development review process
- Reduced parking requirements for affordable housing projects
- Tax abatement for affordable housing
- A budget set-aside to reduce fees and charges imposed on affordable housing development
- Support for the sale or donation of tax foreclosed properties to non-profit housing providers
- Annual financial support for the operation of the Tigard-based Good Neighbor Center homeless shelter
- Rent-free office space for a Tigard-based affordable housing provider
- Identifying and pursuing available grants to finance needed on- and off-site public improvements, such as sidewalks, streets, and storm sewers, serving affordable housing areas or projects
- The Housing Inspection Program to maintain the quality of the City's existing housing stock
- The Housing Emergency Fund to assist occupants of housing declared to be unsafe or uninhabitable
- The Enhanced Safety Program to improve the safety of rental properties
- Membership in the Countywide Housing Advocacy Group

Except for the first mentioned measure, allowing accessory dwelling units, all of these are voluntary actions taken by the City to support and enhance opportunities for affordable housing. These adopted policies, goals, strategies, and voluntary actions reflect the City's current level of effort to meet the affordable housing needs of the community and to improve the quality of life for its low income residents.

## IV. next STEPS

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Future steps under Tigard's Affordable Housing program include the following:

- Adopt standards for requests for funds from the newly-established set-aside to offset fees and charges on affordable housing development .
- Complete and submit Metro-required 2003 and 2004 affordable housing progress reports.
- Continue to provide support for the donation or reduced price sale for tax foreclosed and surplus properties to non-profit affordable housing providers.
- Provide yearly updates to Council on the affordable housing program.

I/lrpn/affordable housing policy

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF July 23, 2002

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Update on New Library Financing Options

PREPARED BY: Craig Prosser DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Informational briefing on options for financing the construction of the new Tigard Library.

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STAFF RECOMMENDATION

At this time, staff is recommending proceeding with a loan from OECDD with certain conditions, primarily that the City receive all funds at the time of the bond sale and that OECDD reporting requirements are simplified.

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INFORMATION SUMMARY

On May 21, 2002, Tigard voters approved the issuance of \$13,000,000 of General Obligation Bonds for the new Tigard Library. Staff has begun the process to issue these bonds this fall. The Oregon Economic and Community Development Department (OECDD) contacted the City in late June, however, with an offer to provide financing for this project through the Oregon Bond Bank. (OECDD previously loaned the City money for the Cook Park Project through this same program.) There are advantages and disadvantages to either method of financing. Staff has prepared the attached "Pros and Cons Summary" to highlight the advantages and disadvantages.

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OTHER ALTERNATIVES CONSIDERED

City-issued general Obligation Bonds

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

NA

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ATTACHMENT LIST

Pros and Cons Summary – City Issued GO Bonds vs. OECDD Loan For New Library Project Financing

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FISCAL NOTES

Financing the library through an OECDD loan rather than City-issued bonds will save approximately \$270,000 in bond issuance and bond insurance costs and could produce a better interest rate. A lower interest rate will result in a lower property tax levy for Tigard citizens.

**Pros and Cons Summary**  
**City-Issued GO Bonds vs. OECDD Loan**  
**For New Library Project Financing**

	<b>City-Issued GO Bonds</b>	<b>OECDD Loan</b>
Security for the Financing	Voter-approved General Obligation pledge (Property tax levy)	Same
Term of Loan	20 Years	Same
<u>Estimated</u> interest rate	5.0% uninsured 4.75% insured	4.75% insured
Bond Insurance	\$75,000	\$0 (Paid by OECDD)
Estimated date for receipt of funds	Mid-October 2002	Mid-October 2002 (OECDD loans are usually provided on a draw-down basis. This would not be acceptable to the City. OECDD has verbally committed to provide all funds in mid-October.)
Bond Issuance/Loan Costs	\$195,000 (est. at 1.5% of bond amount)	Minimal (OECDD pays approximately \$200,000 in issuance costs from lottery proceeds. The City has already incurred some minimal costs working on the bond.)
Reporting Requirements	None	Quarterly progress reports and final project completion report (OECDD reporting requirements are normally detailed. OECDD has verbally committed to simplify its reporting requirements for the City of Tigard.)
Bond Rating	City Rating Review (The City is currently rated A1. This rating has not been reviewed for about 10 years. A City bond issue would provide an opportunity to review and update this rating.)	State Rating (The State will issue bonds to fund the loan to the City. The rating agencies will review and update the State rating.)
IRS Regulations (The IRS regulates the issuance of municipal bonds and the use of bond proceeds.)	The City must comply with all IRS rules and regulations.	Same

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF July 23, 2002

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Receive and File: Council Goal Update

PREPARED BY: S. Peterson & C.Wheatley DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

ISSUE BEFORE THE COUNCIL

Update on the progress of the Council goals for the second quarter of 2002.

STAFF RECOMMENDATION

Receive and file the update.

INFORMATION SUMMARY

Attached are brief summaries of the progress made in the second quarter of 2002 on the Council goals developed by the Council in January 2002.

OTHER ALTERNATIVES CONSIDERED

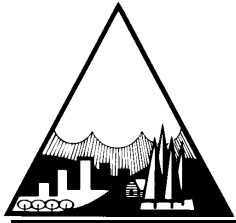
N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Visioning goals are identified throughout the goals and tasks developed by the City Council.

FISCAL NOTES

N/A



## Q-2, 2002 Update Tigard City Council Goals

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GOAL 1—TRANSPORTATION

GOAL 2—PARKS & RECREATION

GOAL 3—DOWNTOWN

GOAL 4—WATER

GOAL 5—GROWTH MANAGEMENT

GOAL 6—LIBRARY

GOAL 7—COMMUNICATION

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In consideration of the 2002 Goals, the City Council stated the following:

“The present state of the economy is a concern that could impact the council’s completion of the 2002 Goals. Each of the 2002 Goals could be impacted if the state, federal, or local economic situation results in a decrease in available funds for Tigard operations and projects.”

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## Engineering/Community Development: Gus/Jim

### GOAL 1: TRANSPORTATION

- A. Explore funding sources for transportation needs. Funding for maintenance and capital are needed for the following—
  - 1. Roads
  - 2. Trails/Bicycles
  - 3. Pedestrian Safety (Sidewalks, streetlights, crosswalks)
  - 4. Bridges
- B. Work with Tri-Met to develop intra-city bus service and Park-and-Ride locations.
- C. Work with ODOT on state-funded facilities.

#### Q-2, July 2002 Update

##### Goal 1.A.1. Roads

The Transportation Financing Strategies Task Force members and staff have met with two major businesses in Tigard regarding the potential implementation of the Street Maintenance Fee. John Wiitala, property manager for PacTrust, understands the need for maintenance of the City streets and fully supported the implementation of the Street Maintenance Fee to include the ROW and sidewalk maintenance elements. Jack Reardon of Washington Square properties expressed concerns about the fees and could not support fees that would be passed on to the tenants on those properties. He felt the residents should bear a greater portion of the load with a corresponding reduction on the businesses. A point that he brought up in the discussions is that Meier and Frank, Sears and TGIF own the properties their businesses are on and should be billed separately. This reduces the total amount that had been computed for Washington Square I and II.

Many of the larger businesses in Tigard do not have corporate offices in the state, and the local representatives typically are not authorized to make policy decisions for those businesses. Information packets, with cover letter giving notice of the potential implementation of the fee and requesting input, will be mailed out to those businesses.

The Task Force met on June 20, 2002, and decided to stay with the fees as recommended to Council in the Street Maintenance Fee Study Report. The fees are based on trip generation rates that are nationally recognized and accepted. Any changes to the fees calculated using these rates would be purely arbitrary.



**Q-2, July 2002 Update**

**Goal 1.A.1. Roads cont'd.**

The following are the next steps for possible implementation of the Street Maintenance Fee:

- July through mid-August 2002: Continue meetings with commercial entities that are locally represented. Receive and compile input from those businesses that were mailed information packets.
- July 16, 2002: Bring back the Street Maintenance Fee to Council for further discussion and direction at the workshop meeting on this date.
- August 27, 2002: If Council direction on June 16 concurs with the staff suggestion, a public hearing will be held at the business meeting on this date. Request adoption of the Street Maintenance Fee by ordinance and the actual fee amounts by resolution at this same meeting. The effective date would be January 1, 2003. This would provide the City's Finance Department time to incorporate the fees into the utility bills, and would allow the Engineering staff time to verify the information needed for the billings.

The Task Force will meet sometime in the fall to explore alternative sources of funding for major street improvements. Potential sources could become feasible with the implementation of the Street Maintenance Fee. State gas tax funds freed up by the Fee could be used to float revenue bonds or obtain a loan from the Oregon Infrastructure Bank for the construction of major street projects. Another possibility is the creation of a City Traffic Impact Fee (TIF) to augment the Countywide TIF. Because the Task Force has been meeting for about a year and a half, the members expressed an interest in the Task Force being reconstituted to drop some members and add new members that could aid in the review of alternative sources of funds. This will be addressed in the fall when the Task Force meets again.

Proposed Wall Street Local Improvement District (LID): A major property owner in the area between Hall Boulevard and Hunziker Street had expressed strong interest in forming an LID to construct a road connecting Hall Boulevard with Hunziker Street. This proposed new street is shown as a future street improvement in the recently adopted Tigard Transportation System Plan. Council has directed the preparation of a Preliminary Engineer's Report to objectively review all relevant aspects of the project and report to Council on the feasibility of proceeding the formation of the LID to construct the project. A design consultant will be retained to perform the study and prepare the report. The Preliminary Engineer's Report is expected to be completed by March or April of 2003.



**Q-2, July Update**

**GOAL 1.A.1. cont'd.**

**Goal 1.A.2-3. Trail/Bicycles and Pedestrian Safety**

State gas tax funds freed up by the Street Maintenance Fee could be used to construct new sidewalk at key locations, install embedded crosswalk lighting at selected locations, and provide for installation of new street lights on collectors and at critical intersections lacking that lighting. These are all projects that cannot now be programmed because of the lack of funds.

**Goal 1.B. Work with Tri Met**

The Engineering Department continued to work with the Community Development Department in providing information to support requests to Tri-Met for intra-City service, and for enhancement of service on existing routes.

**Goal 1.B. Work with Tri Met**

- Continued to develop and refine transit action plan.
- Met with Tri-Met and Westside Transportation Alliance to discuss program plan.
- Waiting for low-income census data.
- Planning to go to City Council work session in September to present draft transit action plan.

**Goal 1.C. Work with Oregon Department of Transportation (ODOT)**

The Engineering Department will continue to look for opportunities to encourage the upgrading of ODOT facilities such as Hall Boulevard, Highway 217 and Highway 99W. None have been evident since the previous quarterly report.



### **Q-1, April 2002 Update**

#### **Goal 1.A.1. Roads**

The Transportation Financing Strategies Task Force met on February 21<sup>st</sup> and approved the draft Street Maintenance Fee Study Report with modifications. The Task Force recommendations were presented to City Council at the March 19, 2002 Workshop Session. The Task Force recommended meetings with major businesses that would be the most affected before Council decides on whether or not to implement the fee. After presentation and discussion, Council directed staff and the Task Force to conduct meetings with those businesses to explain all relevant aspects of the fee and to answer any questions that may arise. This process will occur during the next few months.

The following are the next steps for possible implementation of the Street Maintenance Fee—

- April through June 2002: Meetings with some of the commercial entities that would be charged the most based on our fee calculations
- July 2002: Bring back Street Maintenance Fee to Council for further discussion and direction
- August/September 2002: Take action to implement fee if that is the Council direction.

The Task Force will continue to meet this calendar year to explore alternative sources of funding for major street improvements. Potential sources could become feasible with the implementation of the Street Maintenance Fee. State gas tax funds freed up by the Fee could be used to float revenue bonds or obtain a loan from the Oregon Infrastructure Bank for the construction of major street projects.

#### **Goal 1.A.2-3.**

State gas tax funds freed up by the Street Maintenance Fee could be used to construct new sidewalk at key locations, install embedded crosswalk lighting at selected locations, and provide for installation of new street lights on collectors and at critical intersections lacking that lighting. These are all projects that cannot now be programmed because of the lack of funds.

#### **Goal 1.B.**

Provided information on potential bus stops and existing infrastructure at those locations to the Community Development Department for the review of potential transit service in the City. Will continue to work throughout the calendar year with the Community Development Department in providing information to support requests to Tri-Met for intra-City service, and for enhancement of service on existing routes.

Transit Action Plan inventory and preliminary prioritization is complete. Waiting for census data on low-income population to finalize prioritization and analysis. Will be discussing Action Plan and program development with Tri-Met. Anticipate bringing Action Plan to Council for review and adoption in late summer.



**Q-1, April 2002 Update**  
**Goal 1.B cont'd.**

**Goal 1.C.**

Notified ODOT of observed discrepancies or problems within the state facilities as follows:

- Reported faded striping on the Highway 217 overpass on Greenburg Road to ODOT. ODOT responded by stating the work would be added to their striping program. The work has not yet been performed. We will follow up with ODOT verbally and in writing until the problem is resolved.
- Requested restriping of the crosswalk on Hall Boulevard on the southbound approach adjacent to the Safeway store. The existing crosswalk markings were removed when ODOT resurfaced that intersection approach. This was requested over 3 months ago and has been turned over to ODOT maintenance for action. The work has not yet been performed.
- Submitted the expansion of Hall Boulevard to 5 lanes from Highway 99W to Durham Road for the \$400 ODOT bond issue. The project was rated 16<sup>th</sup> in the final ratings and did not make the list for implementation. We will continue to look for opportunities to support the upgrading of ODOT facilities such as Hall Boulevard, Highway 217 and Highway 99W.



Community Development/Public Works: Jim/Ed

**GOAL 2: PARKS AND RECREATION**

- A. Complete master plans for city parks (Summerlake, Fanno Creek Park expansion, Dog Park, etc.)
- B. Continue to work with and support the Youth Forum and youth activities (before and after school programs, Skateboard Park Committee).

**Q-2, July 2002 Update**

**Goal 2.A. City Parks Master Plans**

The City Council approved the Summerlake Park and Bonita Park Master Plans on June 25, 2002. The first project at Summerlake Park will be the installation of an off-leash dog area. Major construction at Summerlake Park is tentatively scheduled to begin in FY 2002-03.

Bonita Park construction will begin in early 2003 and be completed by June 30, 2003. Park features to be built in Phase I at Bonita Park are: playground, basketball courts, portable toilets and an open space lawn area.

Cook Park, Phase II, will be completed this October. New recreation features at Woodard Park include a tot-lot playground, an elementary age playground and a picnic shelter. The Woodard Park features will be installed prior to June 30, 2003. Potso Dog Park is scheduled for completion the week of July 15. The Potso Dog Park dedication ceremony is set for July 20.

**Goal 2.B. Youth Forum and Youth Activities**

The Tigard-Tualatin School District will receive grant funds in the fall of 2003 to continue the after-school programs at the middle schools. Members of the Youth Forum are approaching community service clubs and churches for assistance with the after-school programs for snacks and supplies for programs. The results of the Assets Survey taken by students last school year will be shared this fall by the district. A Youth Advisory Council may be formed to provide youth a connection to the community to address some of the issues raised in the Assets Survey.



### **Q-1, April Update**

#### **Goal 2.A. Summerlake Park**

There have been four (4) Park Master Plan community, public input meetings pertaining to the Summerlake Park Master Plan (September 30, 1999, November 18, 1999, October 4, 2001 and December 5, 2001). Approximately twenty-five (25) people attended each meeting. The public input process has been completed and has resulted in the development of a proposed Summerlake Park Master Plan, which will be presented to the City Council for approval during the next quarter

The first project, if approved by City Council, will be the addition of an off-leash dog area. The development of the rest of the park, if approved by the City Council, will begin in FY 2003-04. The remaining proposed projects are: site preparation, irrigation systems, renovation of the existing ball field, parking, two children's playgrounds, water play area, pathways, covered picnic tables, landscaping, restroom, and a new maintenance building. The cost estimate for the proposed projects is \$801,020 (does not include maintenance building).

#### **Cook Park**

Cook Park expansion, phase one development, has been completed. Projects completed are: parking lot, 85<sup>th</sup> Avenue emergency access road, gazebo, butterfly meadow, sports fields, landscaping, and trails. Phase two development projects include the following: picnic shelter, tot lot playground, restroom facility, restroom/concession facility, maintenance building, additional parking, and infrastructure. Phase two has been awarded and construction will begin in April and be completed in November.

#### **Woodard Park**

New development at Woodard Park will consist of a tot lot, playground, and picnic shelter. The tot lot and picnic shelter will be installed this fiscal year. The playground will be installed in FY 2002-03.

#### **Dog Park**

The Coe Manufacturing site has been mapped by City engineering and cost estimates are currently being put together. The formal agreement with the landowner has been signed. As set forth in the agreement with the owner, the name of the Dog Park will be "Potso Dog Park." The name is in honor of the General Manager's dog.

A site design meeting was conducted with the Dog Park Committee on January 7. Design interests focused on perimeter fencing & gates, entry area, signage, furnishings (picnic tables and benches), identification of parking spaces, interior perimeter mulched path, smaller interior fenced area for small dogs and puppies, drinking area for dogs and landscaping.

The conditional use permit hearing is scheduled for April 15. Construction will begin as soon as the conditional use permit process is complete. Construction is scheduled to be completed, and will be opened to the public by June 15.



**Q-1, April 2002 Update**  
**GOAL 2.A. cont'd.**

**Skateboard Park Task Force**

Recent meetings of the Task Force have focused on the site-design/cost estimate process. On February 20, a general membership meeting was conducted. Approximately 80 people attended the meeting. The kids that attended the meeting participated in an exercise to determine what type of features they wanted to see in the Skateboard Park. An RFP to secure architectural design services was prepared and released on February 20. The city received five responses and they are currently being reviewed. It is anticipated that an architect will be hired no later than May 27. The architect-led design process will take eight to ten weeks to complete and will consist of three public meetings which will be widely publicized.

Continue to work with and support the Youth Forum and youth activities (before and after school programs, Skateboard Park Task Force).

**Goal 2.B.**

An expanded after-school program started at Twality Middle School on January 14. Representatives from the League of Oregon Cities, Washington County and the City of Tualatin spoke to the Youth Forum at the February 12 meeting about Youth Advisory Councils. The Youth Forum will pursue formation of a Youth Advisory Council in the coming months. The expanded after-school program is being offered at Fowler as well as at Twality until the end of the school year. Grant sources are being explored to continue the program in September.





Community Development: Jim

**GOAL 3: DOWNTOWN**

- A. Plan for the commuter rail station.
- B. Review zoning and comprehensive plan standards in the downtown.
- C. Work in conjunction with the Tigard Central Business District Association, Tigard Area Chamber of Commerce, and other interest groups on a downtown redevelopment plan.

**Q-2, July 2002 Update**

**Goal 3.A. Commuter Rail Station**

- Two public meetings were held to determine the scope of work for the downtown area.
- The planning effort will include two major steps:
  - 1. Commuter rail station design phase in the next 5-10 months
  - 2. Assessment of traffic impacts associated with commuter rail park-and-ride operations—a traffic impact study needs to be done by August.

**Q-1, April 2002 Update**

**Goal 3.A.B.C.**

Staff is preparing a presentation on key issues related to downtown planning efforts for the May 8<sup>th</sup> Blue Ribbon Task Force.



Public Works: Ed

**GOAL 4: WATER**

A. Continue to evaluate options for a long-term water supply.

**Q-2, July 2002 Update**

**Goal 4.A. Long-Term Water Supply Options**

**Proposed Bull Run Regional Drinking Water Agency**

Phase II of the study is underway. The Policy Steering Committee which is comprised of elected officials, have approved the criteria and recommend an IGA 190 agreements as the favored governance option. The consultant and staff members are working on the principles of the agreement. A regional open house is scheduled for Tigard on July 24<sup>th</sup> at 6:30 p.m. in the Water Auditorium.

**Joint Water Commission**

**Tualatin Basin Water Supply Feasibility Study**

The intertie with the City of Beaverton should be completed by the first of August of 2002 and we will continue to purchase surplus water from the Joint Water Commission. The Feasibility Study for the Tualatin Basin continues to move forward with the consultant working on the Alternative's Analysis and will be completing the field studies this summer.

**Q-1, April 2002 Update**

**Goal 4.A.**

**Bull Run Regional Drinking Water Agency**

Phase 2 of the study is underway. A consulting team of MSA/ IUG & CH2MHill has been selected by the 13 participating agencies to address those questions and issues that were recommended for further study in Phase 1. The Technical Advisory Committee chaired by Ed Wegner meets weekly and the Policy Steering Committee meets monthly to keep the project moving toward the August/September date for completion of the report. Once the four work groups get further along, we will update the IWB and City Council on areas of governance/legal, finance, engineering and public involvement.

**Joint Water Commission**

Our intertie with Beaverton should be completed by mid summer, and judging by the current filling pattern of the Scoggins reservoir, we should be able to purchase summer surplus water from the JWC. The feasibility study for the Tualatin Basin is moving forward. We have set the evaluation criteria and are now looking at the list of alternatives. This spring and summer the consultant will do the field work portion of the study.



Community Development/Administration: Jim/Liz

**GOAL 5: GROWTH MANAGEMENT**

- A. Continue to evaluate the results of the Bull Mountain study and discuss the findings with the residents. Cooperatively develop a course of action.
- B. Monitor the progress of the Durham Quarry development, receiving regular council updates.
- C. Consider ways to support the provision of affordable housing.
- D. Actively support implementation of the Washington Square Regional Center Plan.
- E. Evaluate the need and feasibility of having the Tigard Post Office Branch become the Tigard Post Office.

**Q-2, July 2002 Update**

**Goal 5.A. Evaluate Bull Mountain Study**

- Bull Mountain annexation survey effort was initiated in May: both the city and the county selected Riley Research Associates to perform the survey.
- The survey is expected to be finalized by the end of July 2002.

**Goal 5.B. Monitor Durham Quarry Development**

Continued coordination on development of site, including monthly progress meetings with the developer and impacted agencies.

**Goal 5.C. Affordable Housing**

- Council review of an Affordable Housing Action Plan is scheduled for July 23, 2002. The plan is a compilation of all the local efforts undertaken to support and encourage affordable housing.
- Copies of the approved plan will be provided to affordable housing providers and to the Housing Advocacy Group of Washington County.
- In April 2002 the city submitted a required progress report that describes how the city meets or could meet Metro's Urban Growth Management Functional Plan Title 7, Housing and Affordable Housing.



**Q-2, July 2002 Update**

**Goal 5 cont'd.**

**Goal 5.D. Washington Square Regional Center Implementation Plan**

- A Draft Washington Square Regional Center Implementation Plan was prepared through collective effort of key city departments: Community Development, Engineering, Public Works, and Finance. The draft report is scheduled for Council review on July 16, 2002.
- Following the July Council meeting, two regional coordination meetings will be scheduled:
  1. Senior regional staff review in September/October; and
  2. Funding summit with elected officials in November.

**Q-1, April 2002 Update**

**Goal 5.A.**

Staff is working with Washington County to develop a scope of work and public outreach, including a value poll, for an annexation plan.

**Goal 5.B.**

In March, Council reviewed and signed the intergovernmental agreement with Tualatin and Washington County.

**Goal 5.C.**

On February 19, Council discussed the adoption of new strategies to encourage affordable housing. Council decided to consider the creation of a special fund or set-aside to offset fees and charges imposed on affordable housing development as a part of the regular budget process. Council also decided to consider the allocation of \$500 to continue the City's membership in the Housing Advocacy Group (HAG).

**Goal 5.D.**

Staff is developing a Washington Square Regional Center Implementation Program. The internal funding group meets monthly to develop a funding strategy program for Council review by July.



Library: Margaret

**GOAL 6: LIBRARY**

- A. Council members will individually support promotion of the library construction bond.

**Q-2, July 2002 Update**

**Goal 6.A. Library Construction Bond**

- The successful passage of the new Library bond measure benefited from the active involvement of Tigard's City Council in the public education process.
- Public appearances by Council members publicized the new library and the bond measure to groups and organizations in Tigard.
- Letters to the editor from Council members appeared in both the *Oregonian* and the *Tigard Times*. They provided background and rationale for the new library and bond measure.
- The Council helped keep the bond measure and the new library in the forefront as agenda items in their televised Council meetings.
- Both during and after the bond measure election, Council members gave press interviews about the proposed new library.
- Both Mayor Griffith and Councilor Patton were featured in the cable TV program "A Day in the Life of the Library," which aired in April and May. Their comments addressed questions about the new library proposal and the bond measure.
- Mayor Griffith's column in Cityscape raised issues related to the new library both during and after the election.

**Q-1, April 2002 Update**

**Goal 6.A.**

- Council members have participated in several presentations about the new library to groups and organizations throughout Tigard.
- Several Council members took part in the library site master plan meeting for the community on March 5.
- Mayor Griffith featured the new library project presentation at his Blue Ribbon Task Force meeting in March.
- Councilor Patton participated in an editorial board meeting with the *Tigard Times*, along with the City Manager, the Library Director and a citizen member of the New Tigard Library Construction Committee.



**Q-1, April 2002 Update**  
**Goal 6.A. cont'd.**

- Through public meetings with the Construction Committee and the Library Board, Council members have helped focus public attention on the bond measure and proposed new library.
- Council members, both individually and as a group, have advanced the City's public information efforts through televised programs on TVCA.



Administration: Liz

**GOAL 7: COMMUNICATION**

- A. Continue to meet with local, county, regional and state partners.
- B. Continue to improve and expand communication with Tigard citizens through the CIT program, Cityscape, Website, cable, media, Community Connectors, and other means.
- C. Support English-as-a-Second-Language programs in Tigard.

**Q-2, July 2002 Update**

**Goal 7.A. Local, county, regional, and state partners**

During the second quarter, the City Council met with representatives of the Tigard-Tualatin School District and Tualatin Valley Fire and Rescue. The Budget Committee (with Council as members) held public hearings on the FY 2002-03 budget and forwarded a recommendation to Council which adopted a budget on June 11, 2002.

**Goal 7.B.**

**CITs—**

The June CIT meeting was taped on the morning of June 6 and aired that evening in the CIT's regular time slot on cable television. The pre-taped format allowed for different types of presentations. The July meeting was cancelled. The August and September meetings will be taped during the day to air in the evening.

***Cityscape—***

A new two-color format with photos was introduced with the June issue.

**Website—**

The information on the Website is continually updated (i.e., road closures, construction status, library programs). A new feature added in the last quarter is the Tigard City Council Action Recap which includes the previous month's meeting highlights and what's on the Council agenda for the coming month.

**Cable—**

In June, the Land Use Hearings Officer meetings started airing on cable. The meetings are taped to air in the two weeks following each hearing.

**Media—**

Press releases continue to be issued weekly. In April and May over 90% of press releases submitted were printed.



**Q-2, July 2002 Update**  
**Goal 7.B. cont'd.**

**Goal 7.C . English-as-Second-Language Programs**

The library's Hispanic Teen Advisory Group (HTAG) met in May and June to discuss plans for programs. The charge of this group is to help plan programming targeting Hispanic families, to assist as translators at events, and make recommendations for materials to be added to the library collection. The HTAG is currently assisting in planning a festival which is scheduled for Saturday, September 14, 2002.

**Q-1, April 2002 Update**

**Goal 7.A.**

Annual meetings are scheduled with the Budget Committee, Planning Commission, Library Board, School District Board, Senior Center Board, and Tualatin Valley Fire and Rescue District Board. The Tigard High School Student Envoy reports to Council at the first meeting each month on school activities. The State Representative and Senator give periodic updates to the City Council over cable television, more often during the legislative session. During the last quarter, the Council met with the Planning Commission and the Library Board.

**Goal 7.B.**

**CITs—**

The June, July, August and September meetings may be taped to air later. Attendance is declining at the evening meetings to an average of 10 per meeting. The meetings will still be public but taping during the day will be a more efficient use of staff resources and allow for a variety of formats in one program.

***Cityscape—***

The format of the newsletter will be updated with added features beginning in June 2002

**Website—**

Content on the new Website is updated very quickly. A new feature to preview upcoming Council meeting agenda topics is in the works.

**Cable—**

City staff and volunteers are being trained to operate the civic studio cameras and produce and direct cameras. In the last quarter, two programs were produced about the Tigard Library. The City's 40<sup>th</sup> birthday showcase production also aired.

**Media—**

Press releases continue to be issued weekly. Approximately 77% are printed.





**Q-1, April 2002 Update**  
**GOAL 7.B. cont'd.**

**Community Connectors—**

Two connectors were added in the last quarter, both representing areas on Bull Mountain.

**Goal 7.C. Support “English as a Second Language” programs in Tigard.**

In the last quarter, the library received a \$16,200 Library Services and Technology Act grant for its innovative “Hispanic Youth Initiative” project. The funds will help enhance collections and services for Hispanic populations with a focus on young adults.

A Hispanic Teen Advisory Group will be formed to advise the library as it expands Spanish language and English language learning materials including two computer work stations that will feature computer tutorials—English language learning software and Spanish language applications.

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF July 23, 2002

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A Resolution to Acknowledge Completion of the New Tigard Library Construction Committee's Mission, To Commend the Committee Members for a Job Well Done and To Terminate the Committee

PREPARED BY: Margaret Barnes DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

This resolution acknowledges the completion of the Committee's work, commends the members for a job well done and terminates the Committee.

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STAFF RECOMMENDATION

Staff recommends that City Council approve, by motion, the attached resolution.

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INFORMATION SUMMARY

The New Tigard Library Construction Committee was established by City Council Resolution 00-49 on August 8, 2000. Its mission was to advise the Council on options for constructing a new Tigard Public Library. The Committee consulted with an architect to propose a solution to the library's facility needs and to recommend an appropriate site for a new library. After careful study of both immediate and long-term library needs, the Committee recommended the construction of a two-story, 47,000-square-foot building on a 14.7-acre site near Hall Blvd. and O'Mara Street. The Committee recommended funding the majority of construction costs through a bond measure to be placed on the May 2002 ballot.

The nine-person committee included three people who had previously served on the Library Expansion Committee, and represented Tigard Library users, the Library Board, Friends of the Library and Library volunteers. With the passage of Ballot Measure 34-47 on May 21, 2002, authorizing the sale of bonds to construct a new Tigard Library building, the mission of the New Tigard Library Construction Committee has been completed.

Therefore, termination of the New Tigard Library Construction Committee is appropriate at this point. The City Council takes this opportunity to thank the committee members for their efforts and commends them for their excellent work. Since the Committee's inception, members have volunteered countless hours to determine the need, size and location for a new library. The Committee was also instrumental in educating the public about the new library proposal in several public appearances with the conceptual model.

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OTHER ALTERNATIVES CONSIDERED

Continue the New Tigard Library Construction Committee.

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Urban and Public Services Goal No. 3: Adequate facilities are available for efficient delivery of life-long learning programs and services for all ages.

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ATTACHMENT LIST

Exhibit A  
Resolution

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FISCAL NOTES

There are no costs associated with the passage of this resolution.

CITY OF TIGARD, OREGON

RESOLUTION NO. 02-\_\_\_\_\_

A RESOLUTION TO ACKNOWLEDGE COMPLETION OF THE NEW TIGARD LIBRARY CONSTRUCTION COMMITTEE'S MISSION, TO COMMEND COMMITTEE MEMBERS FOR A JOB WELL DONE AND TO TERMINATE THE COMMITTEE.

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WHEREAS, the Tigard Library is a valued community asset and has outgrown its existing facility; and

WHEREAS, the New Tigard Library Construction Committee was formed and members appointed by City Council to propose a solution to the library's facility needs; and

WHEREAS, the New Tigard Library Construction Committee recommended the construction of a new Library to the City Council; and

WHEREAS, the City Council authorized a \$13-million-dollar bond measure to purchase land and build a two-story, 47,000-square-foot library facility to be put on the May 21, 2002, ballot; and

WHEREAS, the New Tigard Library Construction Committee engaged in an active public education effort to inform citizens about the new library proposal; and

WHEREAS, Tigard voters passed Ballot Measure 34-47.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City Council hereby acknowledges the successful completion of the New Tigard Library Construction Committee's mission and commends the Committee for its earnest commitment to enhancing library services in Tigard.

SECTION 2: The City Council thanks George Burgess, Sue Carver, David Chapman, Brian Douglas, James Funk, Elaine Heras, Lonn Hoklin, Kathy Sleeper, and Curtis Tigard for their hard work, dedication and enthusiasm as members of the New Tigard Library Construction Committee.

SECTION 3: The New Tigard Library Construction Committee is hereby terminated.

SECTION 4: This resolution is effective immediately upon passage.

PASSED: This \_\_\_\_\_ day of \_\_\_\_\_ 2002.

\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

\_\_\_\_\_  
City Recorder - City of Tigard

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF July 23, 2002

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A Resolution to Form the New Library Resource Team, Appoint Members to Provide Citizen Perspective During the Design and Construction Phases of the New Tigard Library  
PREPARED BY: Paula M. Walker DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

This resolution creates a New Library Resource Team consisting of interested members of the former New Tigard Library Construction Committee. The New Library Resource Team would represent citizens' interests in the building project.

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STAFF RECOMMENDATION

Staff recommends that City Council approve, by motion, the attached resolution.

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INFORMATION SUMMARY

This resolution is to be considered in conjunction with the resolution dissolving the New Tigard Library Construction Committee. The mission of that committee was to advise Council on options for constructing a new Tigard Library. That mission has been completed successfully with the passage of Bond Measure 34-47 on May 21, 2002.

The New Library Resource Team would better represent the new role that committee members would play in the next stages of the building process. With their work during the past two years, members of the Construction Committee have acquired a body of knowledge about the project. They would be excellent resources to draw upon during the design and construction phases of the project.

The New Library Resource Team would provide an opportunity for citizen involvement in a new public building for Tigard. Team members represent library users in the library's service area, including the Library Board, Friends of the Tigard Library and library volunteers. The team would not meet on a regular basis. Team members would be asked to provide their knowledge and expertise to staff, architects and the design team at various stages during the process. Team members would receive timely updates on the project.

As part of the team's citizen involvement mission, team members could update the City Council and community regarding progress of the building project, as well as convey information and ideas from the community to the city staff. The team would be disbanded when the new library building opens.

---

OTHER ALTERNATIVES CONSIDERED

- 1) Continue the New Tigard Library Construction Committee.
- 2) Do not create a citizen team for this phase of the building project.

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Urban and Public Services Goal No. 3: Adequate facilities are available for efficient delivery of life-long learning programs and services for all ages.

---

ATTACHMENT LIST

Exhibit A  
Resolution

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FISCAL NOTES

There are no costs associated with the passage of this resolution.

CITY OF TIGARD, OREGON

RESOLUTION NO. 02-\_\_\_\_\_

A RESOLUTION TO FORM THE NEW LIBRARY RESOURCE TEAM AND APPOINT MEMBERS TO PROVIDE CITIZEN PERSPECTIVE DURING THE DESIGN AND CONSTRUCTION OF THE NEW TIGARD LIBRARY

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WHEREAS, Tigard voters passed Ballot Measure 34-47 on May 21, 2002, authorizing a \$13-million-dollar bond measure to purchase land and build a two-story, 47,000-square-foot library facility; and

WHEREAS, Tigard citizens have actively provided advice to the City Council as members of the New Tigard Library Construction Committee, and been involved in decisions relating to the new facility; and

WHEREAS, there is need for continuing citizen involvement and those same citizens are willing to continue to actively participate as needed.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The New Library Resource Team is hereby established and its members shall consist of the members of the previous New Tigard Library Construction Committee: Brian Douglas, Elaine Heras, Lonn Hoklin, Kathy Sleeper, Curtis Tigard, David Chapman, and George Burgess.

These members represent library users in the library service area, including the Library Board, Friends of the Tigard Library, and volunteers at the library. The New Library Resource Team will not have regularly scheduled meetings. However, team members will be called upon to provide their skills, knowledge and experience to staff.

SECTION 2: The mission of the New Library Resource Team is to provide citizen perspective and the knowledge gained through their prior involvement on the New Tigard Library Construction Committee and the previous Library Expansion Committee. Team members will share their expertise with Tigard Library staff, architects and the design team to ensure that the finished library is representative of community interests. Team members may provide updates to the City Council and the community regarding the progress of the planning and construction process. They may also convey information from the community to the library staff.

SECTION 3: The term of service for appointees to the team shall end when the new library building opens.

SECTION 4: This resolution is effective immediately upon passage.



PASSED:        This \_\_\_\_\_ day of \_\_\_\_\_ 2002.

\_\_\_\_\_  
Mayor - City of Tigard

ATTEST:

\_\_\_\_\_  
City Recorder - City of Tigard

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF July 23, 2002

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Update on the Library Services Technology Act Grant: "Hispanic Youth Initiative."

PREPARED BY: Margaret Barnes DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Provide an update to the City Council on the activities related to the "Hispanic Youth Initiative Grant."

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STAFF RECOMMENDATION

This is an informational item.

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INFORMATION SUMMARY

The Hispanic Youth Initiative grant was awarded to the Tigard Public Library in February 2002. The purpose of this grant is to reach Hispanic young adults in our area and work with them to improve library service to Tigard's entire Hispanic population. As a result of this grant, a Hispanic Teen Advisory Group (HTAG) has been created. The charge for this group is to help plan programming to target Hispanic Families, to recommend additions to the library collection and to assist as translators at events.

Since February library staff have met regularly with the English Language Learning (ELL) teachers and media specialists from Fowler, Twality, and Tigard High School. In May five classes, comprised of 120 students in grades 5-9, visited the library and approximately 80 percent of the students received library cards for the first time.

HTAG members held monthly meetings in May and June to discuss plans for programs. The first program will be a festival on Saturday, September 14, 2002, in celebration of Mexican Independence Day. Another goal of this project is to train HTAG members to do bilingual storytimes with Youth Services Librarians.

At this time staff is prepared to answer questions about this program.

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OTHER ALTERNATIVES CONSIDERED

N/A

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Goal #2: A wide array of opportunities for life-long learning are available in a variety of formats and used by the community.

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ATTACHMENT LIST

None

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FISCAL NOTES

The Library was awarded a \$16,200 LSTA grant to implement this program.

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF July 23, 2002

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Mixed Use Residential Development Code Amendments

PREPARED BY: Julia Hajduk DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Should the Development Code be amended to exempt properties that were zoned commercial prior to being zoned Mixed Use Residential 1 or 2 from being required to meet minimum residential density requirements in order to develop a commercial use?

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STAFF RECOMMENDATION

Adopt the proposed exemption amendment by adopting the attached Ordinance.

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INFORMATION SUMMARY

At the City Council hearing on February 26, 2002, implementing the Washington Square Regional Center Plan and Development Code amendments, testimony was received from a property owner of property zoned neighborhood commercial who would no longer be able to build as he had planned under the new zoning of mixed use residential (MUR). The MUR 1 and 2 zones allow commercial development but require that the minimum density be met in order to have a commercial component. While the Council felt that the plan itself was acceptable and implemented the zoning, it was felt that this issue should be looked at in more detail and staff was directed to provide additional information on the issue. A concern was that all similar properties be treated the same and, if Council felt changes were needed, it should be simple, fair and consistent among all similarly affected properties. It was determined that there are 10 properties in the City of Tigard that had a commercial zone and were changed to mixed use residential (MUR 1 or MUR 2). Because these properties were at one time not required to be mixed use in order to develop any commercial uses and the new standards could result in a non-conforming use or properties having restrictions, it was determined that an exemption to the minimum density requirement may be appropriate. On the direction of Council, a proposed amendment to the development code was drafted which exempts the 10 properties previously zoned commercial from being required to build a minimum residential density before being permitted to construct a commercial use.

The Planning Commission held a public hearing on the issue on June 17, 2002. Notice was provided to all affected property owners and those within 500 feet of the affected properties. No public testimony was received and, after deliberation, the Planning Commission voted unanimously to forward a recommendation of approval of the amendment to the City Council.

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OTHER ALTERNATIVES CONSIDERED

1. Do not adopt the proposed amendment.
2. Ask for revisions to the proposed exemptions.

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VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Growth and Growth Management Goal #1, Strategy #5, “Address planning and growth issues associated with the Regional Center.”

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ATTACHMENT LIST

Attachment 1: Draft Ordinance

Exhibit A: Staff Report

Exhibit B: Proposed Development Code Amendments

Exhibit C: Map of affected properties

Attachment 2: Draft June 17<sup>th</sup> Planning Commission Minutes

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FISCAL NOTES

N/A

CITY OF TIGARD, OREGON

ORDINANCE NO. 02-

AN ORDINANCE EXEMPTING PROPERTIES THAT ARE ZONED MUR 1 OR 2 THAT WERE ZONED COMMERCIAL PRIOR TO MARCH 28, 2002 FROM MEETING CERTAIN REQUIREMENTS BEFORE BEING PERMITTED TO HAVE A COMMERCIAL USE.

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WHEREAS, the Washington Square Regional Center Plan was a multi-year plan that was started in 1997 and adopted and implemented in February 2002, and

WHEREAS, there were several new zoning districts designated in the Regional Center including the Mixed Use Residential (MUR) 1 and 2 zoning designations; and

WHEREAS, the MUR 1 and 2 zoning designations permit commercial uses only after the minimum residential density is met; and

WHEREAS, there are 10 properties that had been zoned commercial prior to the implementation of the Regional Center Plan and zoning; and

WHEREAS, many of these properties have already been developed with commercial uses which would become non-conforming, and other properties were vacant and the owners had plans to develop as commercial only uses; and

WHEREAS, the City Council felt it appropriate to address this unique issue so as not to create immediate non-conforming uses or add undue burden on property owners' ability to develop their property; and

WHEREAS, if these 10 properties are exempted from meeting the residential density requirement, the City would continue to comply with Metro's target capacity requirements; and

WHEREAS, the properties would continue to be permitted and encouraged to develop with all residential or mixed use developments; and

WHEREAS, the Planning Commission held a public hearing, which was noticed in accordance with the City standards, on 6-17-02 and voted unanimously to recommend approval of the requested amendments to the City Council; and

WHEREAS, the City Council held a public hearing, which was noticed in accordance with City standards, on 7-23-02 and voted to approve the proposed amendments; and

WHEREAS, the decision to adopt was based on compliance with Oregon Statewide Planning Goals #1, #2, #9, and #10; Metro functional Plan Titles 1 and 7; Comprehensive Plan Policies 1.1.1, 2.1.1, 2.1.2, 5.1 and 6.1.1; and Community Development Code Chapters 18.380.020 and 18.390.060 as detailed in the staff report (Exhibit A),

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The requested amendments are approved based on the analysis and findings in the staff report (Exhibit A).

SECTION 2: The adopted development code text amendments, are shown in Exhibit B and the affected properties are shown in Exhibit C.

SECTION 3: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By \_\_\_\_\_ vote of all Council members present after being read by number and title only, this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2002.

\_\_\_\_\_  
James E. Griffith, Mayor

Approved as to form:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

PLANNING COMMISSION  
RECOMMENDATION TO THE  
TIGARD CITY COUNCIL



## **SECTION I. APPLICATION SUMMARY**

**CASE NAME:** **MIXED USE RESIDENTIAL (MUR 1 &2) DEVELOPMENT CODE AMENDMENTS**

**CASE NO.:** **Zone Ordinance Amendment (ZOA) 2002-00003**

**PROPOSAL:** The request is to modify the existing Tigard Development Code language to exempt certain Mixed Use Residential (MUR 1 and 2) properties from being required to meet minimum residential density requirements prior to being permitted to have a commercial use on the property. The exemption would only apply to properties in the Washington Square Regional Center that were zoned commercial prior to March 28, 2002. There are 10 parcels (totaling 5.25 acres) within the City of Tigard's portion of the Regional Center that this exemption applies to and are impacted by this amendment. Approximately 1.63 acres were identified as vacant or re-developable in determining target capacity numbers for the Regional Center, therefore, the number of units that would be deducted from the potential capacity numbers, if no residential use were constructed on these lots, is approximately 42 units.

**APPLICANT:** City of Tigard  
13125 SW Hall Blvd.  
Tigard, OR 97223

**ZONE:** Mixed Use Residential (MUR) 1&2

**LOCATION:** The Washington Square Regional Center area is bounded generally by Fanno Creek on the west, SW Greenburg Road and Hall Boulevard on the east, Red Tail Golf Course to the north, and Highway 217, including the Ash Creek area on the southern border. The MUR 1 and 2 zones are located within the Regional Center, generally west of Hall Blvd. and east of Ash Creek. The specific parcels affected by this amendment are identified as Assessor's map and tax lot numbers: 1S135AA-0400, 1S135AA-1400, 1S135AA-1900, 1S135AA-1901, 1S135AA-2000, 1S135AA-2500, 1S135AA-2600, 1S135AA-2700, 1S135DA-2000, and 1S135DA-1900.

### **APPLICABLE REVIEW**

**CRITERIA:** Community Development Code Sections 18.380.020, 18.390.060; Comprehensive Plan Policies 1.1.1, 2.1.1 2.1.2, 5.1 and 6.1.1; Statewide Planning Goals 1, 2, 9, and 10; and Metro Functional Plan Titles 1 and 7.

## **SECTION II. RECOMMENDATION**

The Planning Commission recommends that the City Council **APPROVE** the requested Zone Ordinance Amendment.



### **SECTION III. BACKGROUND INFORMATION and REQUEST**

The City Council adopted the Washington Square Regional Center Plan and code amendments in March of 2000. The effective date of those amendments was delayed until March of 2002 at which time the Council reviewed the work completed by the Task Force for the implementation phase of the plan. It was determined that the implementation plan adequately addressed Council's previous concerns and Council passed a resolution implementing the plan. At the City Council hearing, however, testimony was received from a property owner who owned property zoned neighborhood commercial and who would no longer be able to build as he had planned under the new zoning of mixed use residential (MUR). The MUR 1 and 2 zones allow commercial development but require that the minimum density be met in order to have a commercial component. While the Council felt that the plan itself was acceptable and implemented the zoning, they felt that it was necessary to look at this issue in more detail and directed staff to provide additional information on the issue. A concern for staff was that all similar properties be treated the same and, if Council felt changes were needed, it should be simple, fair and consistent among all similarly affected properties. Staff determined that there are 10 properties in the City of Tigard that had a commercial zone and were changed to mixed use residential (MUR 1 or MUR 2). Because these properties were at one time not required to be mixed use in order to develop any commercial uses and the new standards could result in a non-conforming use or properties having restrictions, it was determined that an exemption to the minimum density requirement may be appropriate. On the direction of Council, staff drafted a proposed amendment to the development code which exempts the 10 properties previously zoned commercial from being required to build a minimum residential density before being permitted to construct a commercial use.

The total acreage of these 10 properties is 5.25 acres. Only 1.63 acres were considered vacant or re-developable for computation of target population numbers. Potential removal of this 1.63 acres from residential development equates to a loss of approximately 42 units. The densities provided by the Washington Square Regional Center bring the City above its target capacity number requirements by more than this amount. Therefore, if these properties do not include a residential component, the City would continue to exceed its target capacity numbers. It should be noted that residential only and mixed use developments would continue to be permitted and encouraged on these properties if they develop or re-develop.

The Planning Commission held a public hearing on June 17, 2002. After deliberation, the Planning Commission voted unanimously to forward a recommendation of approval to the City Council.

### **SECTION IV. SUMMARY OF APPLICABLE CRITERIA**

Chapter 18.380 states that legislative text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 18.390.060G.

Chapter 18.390.060G states that the recommendation by the Commission and the decision by the Council shall be based on consideration of the following factors:

- A. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;
- B. Any federal or state statutes or regulations found applicable
- C. Any applicable Metro regulations
- D. Any applicable Comprehensive Plan Policies; and
- E. Any applicable provisions of the City's implementing ordinances.

**SECTION V. ANALYSIS****A. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;**

Notice was provided to DLCD 45 days prior to the first scheduled public hearing as required. In addition, the Tigard Development Code and Comprehensive Plan have been acknowledged by DLCD. The following are Statewide Planning Goals that are applicable to this proposal:

**Statewide Planning Goal 1 – Citizen Involvement:**

**This goal outlines the citizen involvement requirement for adoption of Comprehensive Plans and changes to the Comprehensive Plan and implementing documents.**

Analysis: This goal has been met by complying with the Tigard Development Code notice requirements set forth in Section 18.390. Notice was mailed to all affected property owners (property that was zoned commercial prior to the implementation of the Washington Square Regional Center Plan) and properties within 500 feet of the affected properties. Notice was also published in the Tigard Times Newspaper prior to the hearing. In addition, after the hearing before the Planning Commission, additional notice was published prior to the City Council Hearing. Two Public Hearings are held (one before the Planning Commission and the second before the City Council) in which public input is welcome.

Conclusion: This goal is met.

**Statewide Planning Goal 2 – Land Use Planning:**

**This goal outlines the land use planning process and policy framework.**

Analysis: The Comprehensive Plan was acknowledged by DLCD as being consistent with the statewide planning goals. The Development Code implements the Comprehensive Plan. The Development Code establishes a process and policies to review changes to the Development Code consistent with Goal 2. The City's plan provides analysis and policies with which to evaluate a request for amending the Code consistent with Goal 2.

Conclusion: This goal is met.

**Statewide Planning Goal 3 – Agricultural Lands**

**This goal requires, in part, that adopted comprehensive plans be revised to preserve and maintain agricultural lands.**

Analysis: This goal is not applicable to the proposed Development Code amendment because the amendment does not affect any designated agricultural land.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 4 – Forest Lands**

**This goal requires, in part, that adopted comprehensive plans be revised to preserve and maintain forest lands.**

Analysis: This goal is not applicable to the proposed Development Code amendment because the amendment does not affect any acknowledged forest lands.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 5 – Natural Resources**

**Requires the inventory and protection of natural resources, open spaces, historic areas and sites suitable for removal and processing of mineral and aggregate resources.**

Analysis: This goal is not applicable to the proposed Development Code amendment because the amendment does not affect any natural resources. While several properties are located within the 100 year floodplain, the provisions of the amendment will not allow any more development within or adjacent to the floodplain than the current standards. All regulations protecting these resource areas will continue to protect them.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 6 – Air, Water and Land Resource Quality**

**This goal is intended to maintain and improve the quality of air, water and land resources of the state by controlling waste and process discharges.**

Analysis: This goal is not applicable to the proposed Development Code amendment because the amendment does not have an impact on the compliance with Air, Water and Land Resource Quality regulations.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 7 – Natural Disasters and Hazards**

**This goal is intended to protect life and property from natural disasters and hazards.**

Analysis: This goal is not applicable to the proposed Development Code amendment because the amendment does not have an impact on the compliance with natural disaster and natural hazard regulations.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 8 – Recreational Needs**

**This goal requires that the recreational needs of the citizens of the state and visitors be considered and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.**

Analysis: This goal is not applicable to the proposed Development Code amendment because the amendment does not have an impact on the compliance of Statewide Planning Goal #8.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 9 – Economic Development:**

**This goal requires the provision of adequate opportunities for a variety of economic activities.**

Analysis: The proposed amendment continues to provide a variety of economic activities (both commercial and residential). In addition, properties that were intended to be developed as commercial only uses will not be required to go through a re-design process in order to comply with the new standards. Mixed use development continues to be an acceptable and encouraged alternative.

Conclusion: This goal is met.

**Statewide Planning Goal 10 – Housing:**

**This goal requires that plans encourage the availability of adequate numbers of needed housing units at various price ranges and rent levels and allow for flexibility of housing location, type and density.**

**Analysis:** The amendment will continue to allow for mixed use and residential only development for these MUR properties, therefore the availability of housing on these properties remains.

**Conclusion:** This goal is met because the opportunity for housing at various price ranges and rent levels remains the same.

**Statewide Planning Goal 11 – Public Facilities and Services**

**This goal requires planning and development of a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for development. Required public facilities and services are to be provided at levels necessary and suitable for existing uses.**

**Analysis:** This goal is not applicable to the proposed Development Code amendment because the amendment does not have an impact on compliance with the Statewide Planning Goal #11.

**Conclusion:** This goal is not applicable.

**Statewide Planning Goal 12 - Transportation**

**This goal is intended to provide and encourage a safe, convenient and economic transportation system. This Goal is implemented by Oregon Administrative Rule 660-12, which is also known as the Transportation Planning Rule (TPR). Section 660-12-060 states that plan amendments which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility.**

**Analysis:** This goal is not applicable to the proposed Development Code amendment because the amendment does not have an impact on compliance with the Statewide Planning Goal #12 and transportation facilities are not altered as a result of this amendment.

**Conclusion:** This goal is not applicable.

**Statewide Planning Goal 13 – Energy Conservation**

**This goal requires that land and uses developed on land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.**

**Analysis:** This goal is not applicable to the proposed Development Code amendment because the amendment does not have an impact on compliance with the energy conservation goals.

**Conclusion:** This goal is not applicable.

**Statewide Planning Goal 14 – Urbanization**

**This goal requires the orderly and efficient transition from rural to urban land use.**

**Analysis:** This goal is not applicable because the urban growth boundary and transition from urban to rural zoning is not part of the proposed Development Code amendments.

**Conclusion:** This goal is not applicable.

**Statewide Planning Goal 15 – Willamette River Greenway****Required protection, conservation and enhancement of lands along the Willamette River Greenway.**

Analysis: The Washington Square Regional Center is not within the Willamette River Greenway, therefore, this goal does not apply.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 16 – Estuarine Resources****This goal requires recognition and protection of unique environmental, economic and social values of each estuary and associated wetlands and, where appropriate, protect, maintain and restore the long-term environmental, economic and social values diversity and benefits of Oregon's estuaries.**

Analysis: The Washington Square Regional Center does not have any estuaries, therefore, this goal does not apply.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 17 – Coastal Shorelands****This goal requires conservation, protection and, where appropriate, restoration of coastal shorelands.**

Analysis: The Washington Square Regional Center is not located at the beach or along a coastal shoreland, therefore, this goal is not applicable.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 18 – Beaches and Dunes****This goal requires conservation, protection, and where appropriate, restoration of coastal beaches and dunes.**

Analysis: The Washington Square Regional Center is not located at the beach and there are no dunes within the Regional Center, therefore, this goal is not applicable.

Conclusion: This goal is not applicable.

**Statewide Planning Goal 19 – Ocean Resources****This goal requires conservation of the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf.**

Analysis: The Washington Square Regional Center is not located at the beach or along a coastal shoreland, therefore, this goal is not applicable.

Conclusion: This goal is not applicable.

**FINDING: The proposed amendment is in compliance with all applicable statewide land use goals as documented in the above analysis and conclusions.**

**B. Any federal or state statutes or regulations found applicable;**

The amendment removes the requirement to construct the minimum residential density in the MUR 1 and 2 zones before being permitted to have a commercial component. There are no federal or state statutes that require a mixed use zone to develop with a residential component (while this is encouraged). Regional (Metro) requirements apply and are discussed further in this report.

**FINDING: There are no federal or state statutes or regulations applicable to this amendment.**

**C. Any applicable Metro regulations;**

Metro Title 1, which specifies requirements for housing and employment accommodation and Metro Title 7, which discusses affordable housing requirements are applicable to this amendment.

The Washington Square Regional Center Plan was developed in accordance with the policies of Metro's 2040 Growth Concept. In addition, the densities required in the regional center help the City and Washington County to achieve their target population numbers. The removal of density could therefore impact the compliance with the target population numbers. In the case of this amendment, however, it has been determined that the amendment will not result in the City being out of compliance with its target capacity requirements. The City exceeds its target capacity requirements by approximately 200 units. If the MUR properties previously zoned commercial were all developed as commercial only uses, it would result in a loss of approximately 42 units. This calculation takes into account the properties considered vacant or re-developable when the initial capacity calculations were completed. In addition, while this amendment removes the requirement to have a residential use, it does not prohibit a developer from constructing a mixed use or residential only development.

**FINDING: The amendment does not bring the City out of compliance with any Metro regulations.**

**D. Any applicable Comprehensive Plan Policies; and**

**Policy 1.1.1(a) requires that legislative changes are consistent with statewide planning goals and the regional plan adopted by Metro.**

The proposal is consistent with Statewide Planning Goals as addressed above under 'Statewide Planning Goals'. The proposal is consistent with the applicable portions of the Metro "Urban Growth Management Functional Plan" that was adopted in October, 1996, by Metro, as discussed within this report.

**Citizen Involvement: Policy 2.1.1 states that the City shall maintain an ongoing citizen involvement program and shall assure that citizens will be provided an opportunity to be involved in all phases of the planning process. Policy 2.1.2 states that opportunities for citizen involvement shall be appropriate to the scale of the planning effort.**

The Planning Commission and City Council hearings have been legally advertised. Notice has been sent to property owners of affected properties and within 500' of affected properties and has been published in the Tigard Times to ensure that citizens will have the opportunity to learn about the hearing and to participate in it.

**Policy 5.1 states that the City shall promote activities aimed at the diversification of the economic opportunities available to Tigard residents with particular emphasis placed on the growth of the local job market.**

The proposed amendment continues to provide a variety of economic activities (both commercial and residential). In addition, properties that were intended to be developed as commercial only uses will not be required to go through a re-design process in order to comply with the new standards. Mixed use development continues to be an acceptable and encouraged alternative.

**Policy 6.1.1 states that the City shall provide an opportunity for a diversity of housing densities and residential types at various prices and rent levels.**

The amendment will continue to allow for residential development for these MUR properties, therefore the availability of housing on these properties remains.

**FINDING: Based on the analysis above, the applicable Comprehensive Plan policies have been met.**

**E. Any applicable provisions of the City's implementing ordinances.**

The only applicable City Development Code standard is Chapter 18.380 which regulates amendments. While 18.520 will be amended, there are no specific criteria in this section that needs to be reviewed in order to make this decision. The Tigard Development Code Section 18.380 outlines the process for reviewing Development Code Text Amendments.

**FINDING: This staff report and the findings herein show that all applicable provisions of the Tigard Development Code have been addressed and are met with the proposed amendment.**

**SECTION VI. ADDITIONAL CITY STAFF AND OUTSIDE AGENCY COMMENTS**

City of Tigard Current Planning Division, City Administration, Planning and Engineering Technicians, City of Beaverton, Metro Land use and Planning Growth Management, DLCD, The Oregon Department of Transportation, and Washington County have all had an opportunity to review this proposal and have offered no comments or objections to the proposed zone change.

\_\_\_\_\_  
PREPARED BY: Julia Hajduk  
Associate Planner

\_\_\_\_\_  
June 24, 2002  
DATE

\_\_\_\_\_  
SIGNED: Mark Padgett  
Planning Commission Chair

\_\_\_\_\_  
DATE

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**TABLE 18.520.1  
USE TABLE: COMMERCIAL ZONES**

USE CATEGORY	C-N <sup>1</sup>	C-C <sup>5</sup>	C-G	C-P	CBD	MUE <sup>20</sup>	MUC-1	MUC <sup>28</sup>	MUE 1 and 2 <sup>28</sup>	MUR 1 and 2 <sup>28</sup>
<b>RESIDENTIAL</b>										
Household Living	N	R <sup>6</sup>	R <sup>11</sup>	R <sup>13</sup>	R <sup>17</sup>	R <sup>21</sup>	P <sup>26</sup>	P	P	P
Group Living	N	N	C	N	P	N	C	R <sup>29</sup> /C	R <sup>29</sup> /C	R <sup>29</sup> /C
Transitional Housing	N	N	C	N	C	N	C	C	C	C
Home Occupation	R <sup>2</sup>	R <sup>2</sup>	R <sup>2</sup>	R <sup>2</sup>	R <sup>2</sup>	R <sup>2</sup>	P	R <sup>2</sup>	R <sup>2</sup>	R <sup>2</sup>
<b>HOUSING TYPES</b>										
Single Units, Attached	N/A	N/A	N/A	N/A	N/A	N/A	N/A	R <sup>30</sup>	R <sup>30</sup>	P
Singel Units, detached	N/A	N/A	N/A	N/A	N/A	N/A	N/A	R <sup>30</sup>	R <sup>30</sup>	R <sup>30</sup>
Accessory Units	N/A	N/A	N/A	N/A	N/A	N/A	N/A	R <sup>31</sup>	R <sup>31</sup>	R <sup>31</sup>
Duplexes	N/A	N/A	N/A	N/A	N/A	N/A	N/A	R <sup>30</sup>	R <sup>30</sup>	P
Multi-family Units	N/A	N/A	N/A	N/A	N/A	N/A	N/A	P	P	P
Manufactured Units	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N	N	N
Mobile Home Parks, Subdivisions	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N	N	N
<b>CIVIC (INSTITUTIONAL)</b>										
Basic Utilities	C	N	N	C	C	C	C	C <sup>32</sup>	C <sup>32</sup>	C <sup>32</sup>
Colleges	N	N	N	N	N	C	C	C	C	C
Community Recreation	N	P	N	N	P	C	N	P	C	C
Cultural Institutions	P	P	P	P	P	P	P	P	P	N
Day Care	P	P	P	P	P	P	P	P	P	P/C <sup>33</sup>
Emergency Services	P	P	P	P	P	P	P	P	P	N
Medical Centers	C	N	C	C	C	C	C	C	C	C
Postal Service	P	P	P	P	P	P	P	P	P	N
Public Support Facilities	P	P	P	P	P	P	P	P	P	P
Religious Institutions	C	C	P	C	P	P	C	P	P	C
Schools	N	N	N	N	N	C	C	C	C	C
Social/Fraternal Clubs/Lodges	C	C	P	P	P	P	P	P	P	C
<b>COMMERCIAL</b>										
Commercial Lodging	N	N	P	R <sup>14</sup>	P	P	P	P	P	N
Eating and Drinking Establishments	C	P	P	R <sup>15</sup>	P	P	P	P	P	R <sup>34/35</sup>
Entertainment-Oriented										
- Major Event Entertainment	N	N	C	N	C	N	C	C	N	N
- Outdoor Entertainment	N	N	P	R <sup>15</sup>	P	N	N	C	N	N
- Indoor Entertainment	P	P	P	P	P	P	P	P	P	N
- Adult Entertainment	N	N	C	N	C	N	N	C	N	N

Proposed MUR-1 and MUR-2 code changes



General Retail										
- Sales-Oriented	P	P <sup>7</sup>	P	R <sup>16</sup>	P	R <sup>22</sup>	R <sup>25</sup>	P	R <sup>22</sup>	R <sup>34/35</sup>
- Personal Services	P	P	P	P	P	R <sup>22</sup>	R <sup>25</sup>	P	R <sup>22</sup>	R <sup>34/35</sup>
- Repair-Oriented	P	P	P	N	P	R <sup>22</sup>	R <sup>25</sup>	R <sup>22</sup>	R <sup>22</sup>	N
- Bulk Sales	N	N	P	N	N	R <sup>22</sup>	R <sup>25</sup>	R <sup>22</sup>	R <sup>22</sup>	N
- Outdoor Sales	N	N	P	N	N	N	N	N	N	N
- Animal-Related	N	N	N	N	N	P	P	N	N	N
Motor Vehicle Related										
- Motor Vehicle Sales/Rental	N	N	P/C <sup>12</sup>	N	C <sup>18</sup>	N <sup>22</sup>	N <sup>25</sup>	R <sup>24</sup>	R <sup>24</sup>	N
- Motor Vehicle Servicing/Repair	N	C <sup>8</sup>	P/C <sup>12</sup>	N	R <sup>18</sup>	R <sup>22</sup>	R <sup>25</sup>	N	N	N
- Vehicle Fuel Sales	C	C	C	N	C	N	C	C	C	N
Office	P	R <sup>9</sup>	P	P	P	P	P	P	P	R <sup>34/35</sup>
Self-Service Storage	N	N	C	N	N	N	N	N	N	N
Non-Accessory Parking	C	C	P	P	P	P	P	P	P	N
INDUSTRIAL										
Industrial Services	N	N	N	N	N	N	N	N	N	N
Manufacturing and Production										
- Light Industrial	N	N	N	N	N	R <sup>23</sup>	N	N	R <sup>23</sup>	N
- General Industrial	N	N	N	N	N	N	N	N	N	N
- Heavy Industrial	N	N	N	N	N	N	N	N	N	N
Railroad Yards	N	N	N	N	N	N	N	N	N	N
Research and Development	N	N	N	N	N	R <sup>24</sup>	R <sup>24</sup>	N	R <sup>23</sup>	N
Warehouse/Freight Movement	N	N	N	N	N	R <sup>24</sup>	N	N	R <sup>23/24</sup>	N
Waste-Related	N	N	N	N	N	N	N	N	N	N
Wholesale Sales	N	N	N	N	C	N	N	N	R <sup>23/24</sup>	N
OTHER										
Agriculture/Horticulture	N	N	N	N	N	N	N			
Cemeteries	N	N	N	N	N	N	N			
Detention Facilities	N	N	C	N	C	N	N			
Heliports	N	N	C	C	C	N	N			
Mining	N	N	N	N	N	N	N			
Wireless Communication Facilities	P/R <sup>3</sup>	P/R <sup>3</sup>	P/R <sup>3</sup>	P/R <sup>3</sup>	P/R <sup>3</sup>	P/R <sup>3</sup>	P/R <sup>27</sup>			
Rail Lines/Utility Corridors	P	P	P	P	P	P	P			
Other	C <sup>4</sup>	C <sup>10</sup>	NA	NA	C <sup>19</sup>	NA	NA			
P=Permitted R=Restricted C=Conditional Use N=Not Permitted										

Proposed MUR-1 and MUR-2 code changes

<sup>1</sup>All permitted and conditional uses subject to special development standards contained in 18.520.050A.

<sup>2</sup>Permitted subject to requirements Chapter 18.742.

<sup>3</sup>See Chapter 18.798 Wireless Communication Facilities, requirements for permitted and restricted facilities.

<sup>4</sup>Uses operating before 7:00 AM and/or after 10:00 PM are conditional uses.

<sup>5</sup>All permitted, limited and conditional uses must meet special development standards in 18.520.050B.

<sup>6</sup>Residential units permitted by right, as a mixed use in conjunction with a commercial development, on or above the second floor of the structure, at densities not to exceed 12 units/net acre.

<sup>7</sup>Limited to 10,000 gross square feet in size, except retail food and beverage outlets, which are limited to 40,000 gross square feet or less.

<sup>8</sup>Limited to motor vehicle cleaning only.

<sup>9</sup>When combined in single structure, each separate establishment shall not exceed 5,000 gross square feet.

<sup>10</sup>Uses operating before 6:00 AM and/or after 11:00 PM; or drive-up windows are conditional uses.

<sup>11</sup>A single-family unit providing that it is located on the same site with a permitted or conditional use in and is occupied exclusively by a caretaker or superintendent of the permitted or conditional use. Multi-family housing is permitted as part of a PD, subject to Chapter 18.350.

<sup>12</sup>Cleaning, sales and repair of motor vehicles and light equipment is permitted outright; sales and rental of heavy vehicles and farm equipment and/or storage of recreational vehicles and boats permitted conditionally.

<sup>13</sup>Multi-family residential units, developed at R-40 standards, as a mixed-use in conjunction with commercial development on or above the second floor of the structure, only in the C-P District within the Tigard Triangle and Bull Mountain Road district.

<sup>14</sup>Restaurant permitted with restriction in size in conjunction with and on the same parcel as a commercial lodging use.

<sup>15</sup>As accessory to offices or other permitted uses, the total space devoted to a combination of retail sales and eating/drinking establishments may not exceed more than 20% of the entire square footage within the development complex.

<sup>16</sup>May not exceed 10% of the total square footage within an office complex.

<sup>17</sup>Single-family attached and multi-family residential units, developed at R-40 standards, except the area bounded by Fanno Creek, Hall Boulevard, O'Mara, Ash Avenue and Hill Street, within

which property zoned for CBD development which shall be designated R-12 PD and shall be developed as planned developments in conformance with the R-12 District standards.

<sup>18</sup>Motor vehicle cleaning only.

<sup>19</sup>Drive-up windows permitted conditionally.

<sup>20</sup>All permitted and conditional uses subject to special development standards contained in 18.520.050C.

<sup>21</sup>Multi-family residential, at 25 units/gross acre, allowed outright. Pre-existing detached single-family dwellings are permitted outright.

<sup>22</sup> New Retail and sales uses may not exceed 60,000 gross leasable area per building within the Washington Square Regional Center or Tigard Triangle, except for those areas zoned C-G at the time the MUE zoning district was adopted in the Tigard Triangle.

<sup>23</sup>All activities associated with this use, except employee and customer parking, shall be contained within buildings.

<sup>24</sup>Permitted as accessory to a permitted use as long as this use is contained within the same building as the permitted use, and does not exceed the floor area of the permitted use.

<sup>25</sup>Permitted provided the use is no larger than 60,000 square feet of gross floor area per building or business.

<sup>26</sup>Household living limited to single units, attached, and multi-family including but not limited to apartments, attached condominiums, townhouses and rowhouses at a minimum density of 25 dwelling units per acre and a maximum density of 50 dwelling units per acre.

<sup>27</sup>Wireless only as attached to structure within height limit – see Chapter 18.798

<sup>28</sup>All Permitted and Conditional Uses subject to special development standards contained in 18.630

<sup>29</sup>Group living with five or fewer residents permitted by right; group living with six or more residents permitted as conditional use.

<sup>30</sup>Pre-existing housing units permitted. Conversion of pre-existing housing units to other uses is subject to the requirements of Chapter 18.630

<sup>31</sup>Permitted for pre-existing housing units, subject to requirements Chapter 18.710.

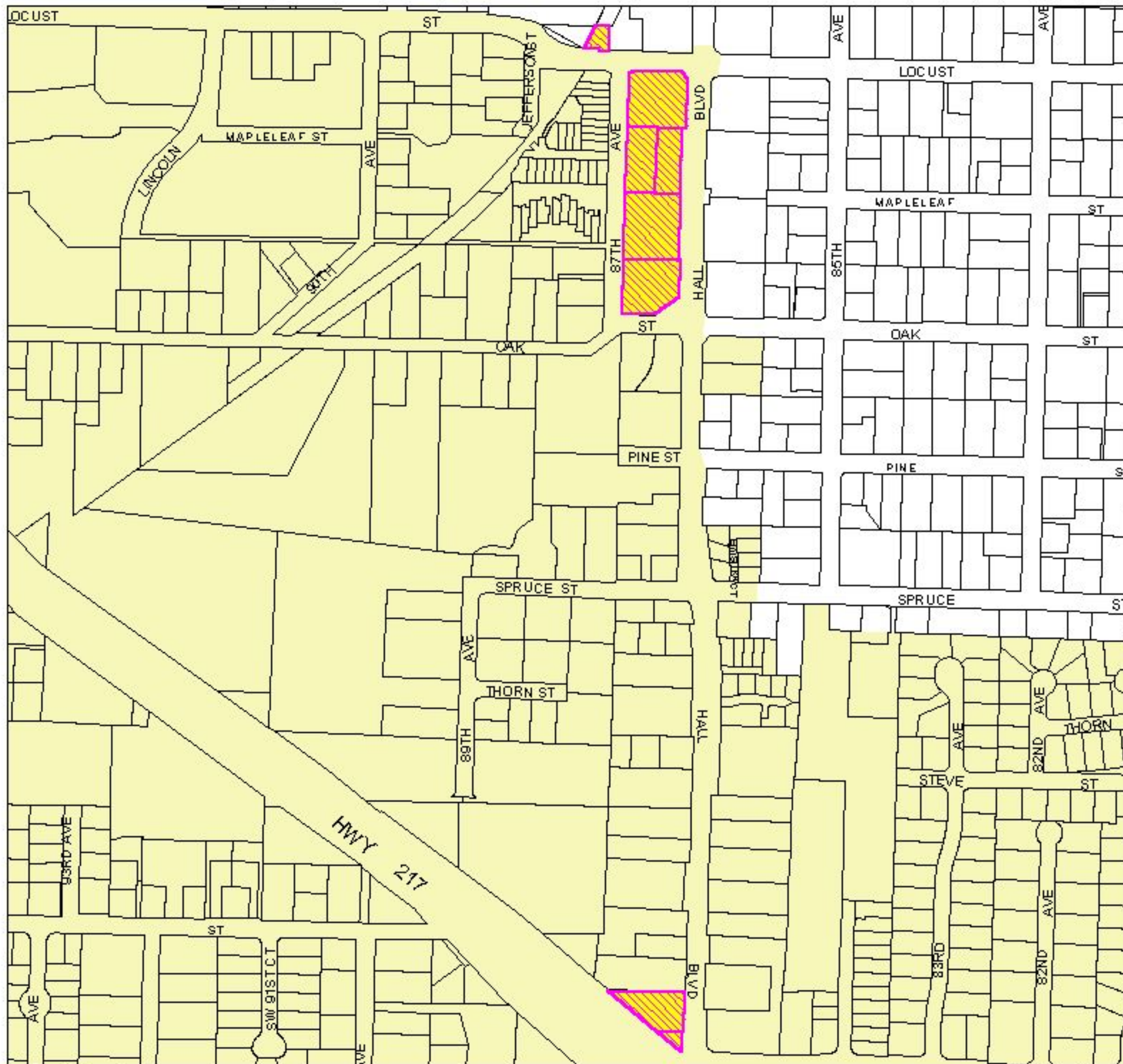
<sup>32</sup>Except water, storm and sanitary sewers, which are allowed by right.

<sup>33</sup>In-home day care which meets all state requirements permitted by right; freestanding day care centers which meet all state requirements permitted conditionally.

<sup>34</sup>This use is allowed only in mixed-use developments in the Washington Square Regional Center. Commercial uses shall occupy no more than 50% of the total floor area within the mixed-use development, and shall be permitted only when minimum residential densities are

met. An exception to the requirement that commercial uses may be permitted only if residential minimum densities are met is provided for properties zoned commercial prior to implementation of the Washington Square Regional Center Plan (3/28/2002). The exempted properties are identified as assessor map number: 1S135AA-00400, 1S135AA-01400, 1S135AA-01900, 1S1AA-01901, 1S135DA-02000, 1S135AA-02500, 1S135AA-02600, 1S135AA-02700, 1S135DA-01900, and 1S1DA-02000. These parcels, or parcels created from these parcels, after the effective date of this ordinance, may be developed as a solely commercial use with a use permitted in the MUR-1 or MUR -2 zones.

<sup>35</sup>The maximum building footprint size permitted for any building occupied entirely by a commercial use or uses shall be 7,500 square feet. An exception to the limit on the size of a building occupied by commercial uses is provided for properties zoned commercial prior to implementation of the Washington Square Regional Center Plan (3/28/2002). The exempted properties are identified as assessor map number: 1S135AA-00400, 1S135AA-01400, 1S135AA-01900, , 1S1AA-01901, 1S135DA-02000, 1S135AA-02500, 1S135AA-02600, 1S135AA-02700, 1S135DA-01900, and 1S1DA-02000. On these parcels, or parcels created from these parcels, after the effective date of this ordinance, a commercial development is not limited to a specific square footage, however, all other dimensional standards of the MUR-1 and MUR-2 zoning district apply which may limit the ultimate size of commercial development.



# Affected Prop. MUR Code Amend

N

0 200 400 600 Feet

1" = 420 Feet



Information on this map is for general location only and  
should be verified with the Development Services Division.  
13125 SW Hall Blvd  
Tigard, OR 97223  
(503) 630-4171  
<http://www.ci.tigard.or.us>

**CITY OF TIGARD  
PLANNING COMMISSION  
Meeting Minutes  
June 17, 2002**

**1. CALL TO ORDER**

President Padgett called the meeting to order at 7:00 p.m. The meeting was held in the Tigard Civic Center, Town Hall, at 13125 SW Hall Blvd.

**2. ROLL CALL**

Commissioners Present: President Padgett; Commissioners Anderson, Biennerth, Munro, Sclar, Sutton, and Webb

Commissioners Absent: Commissioners Buehner and Mores

Staff Present: Julia Hajduk, Associate Planner; Dan Plaza, Parks Manager; Duane Roberts, Associate Planner; Jaimie Dumdi, Administrative Specialist; Jerree Gaynor, Planning Commission Secretary

**3. PLANNING COMMISSION COMMUNICATIONS**

Next meeting will be July 15<sup>th</sup>.

**4. PUBLIC HEARING**

**4.1 ZONE ORDINANCE AMENDMENT (ZOA 2002-00003)**

**MIXED USE RESIDENTIAL (MUR 1 & 2) DEVELOPMENT CODE AMENDMENTS**

**REQUEST:** The request is to modify the existing development code language to exempt properties that were zoned commercial prior to March 28, 2002 from being required to meet minimum residential density requirements prior to being permitted to have a commercial use on the property. There are 10 parcels (5.25 acres) within the City of Tigard's portion of the Regional Center that this exemption applies to and are impacted by this amendment. Approximately 1.63 acres were identified as vacant or re-developable in determining target capacity numbers for the Regional Center, therefore, the number of units that would be lost if no residential use were constructed on these lots is approximately 42 units (if minimum densities were constructed). **LOCATION:** The Washington Square Regional Center area is bounded generally by Fanno Creek on the west, SW Greenburg Road and Hall Boulevard on the east, Red Tail Golf Course to the north, and Highway 217, including the Ash Creek area on the southern border. The MUR 1 and 2 zones are located within the Regional Center, generally west of Hall Blvd and east of Ash Creek. **ZONE:** Mixed Use Residential (MUR) 1&2. **APPLICABLE REVIEW CRITERIA:** Community Development Code Sections 18.380.020, 18.390.060; Comprehensive Plan Policies 1.1.1, 2.1.1 2.1.2, 5.1 and 6.1.1; Statewide Planning

Goals 1, 2, 9, and 10; and Metro Functional Plan Titles 1 and 7.

### **STAFF REPORT**

Julia Hajduk presented the staff report on behalf of the City. Testimony received at the City Council hearing raised concern that there are properties previously zoned commercial prior to adoption of the Regional Center Plan that would be negatively impacted by the new Mixed Use Residential zone designation. This amendment proposes an exemption for only those properties that were previously zoned commercial so that they do not have to meet the residential component in order to be developed commercially. While not required to build to the minimum residential density, they are encouraged to have a mixed used development and must still meet all other Regional Center standards. Target capacity numbers will continue to be met and therefore staff recommends the Planning Commission forward a recommendation of approval to City Council.

In response to inquiry from President Padgett, Ms. Hajduk clarified that this exemption applies only to properties that are now zoned mixed use residential but were previously zoned commercial, regardless of whether or not they are developed or vacant, i.e., parcels ready to be commercially developed as well as parcels already developed with commercial uses.

### **PUBLIC TESTIMONY**

None

### **PUBLIC HEARING CLOSED**

Commissioner Webb moved that, based upon the findings in the staff report, the Planning Commission recommend to the City Council to approve ZOA 2002-00003. Commissioner Sclar seconded the motion. A voice vote was taken and the motion passed unanimously.

## **4.2 BONITA PARK MASTER PLAN**

Dan Plaza gave a PowerPoint presentation on the Bonita Park Master Plan (Exhibit A). This is a 5-acre site located on Milton Court off Bonita Road by 74<sup>th</sup> Avenue. Staff recommends the Planning Commission forward a recommendation of approval to City Council. The City Council will consider the plan at its next meeting on July 8, 2002.

Discussion items:

- CDBG (Community Development Block Grants) provide funding for underprivileged areas.
- Staff is comfortable that public input has been satisfied. The site is small and contains wetland areas and a buffer zone along the creek that limit what can be developed on it. A picnic shelter may be added in the future.



- The playground area will not be secluded by a ring of tall trees. Due to input from the Police Department, it may be moved further south than what is depicted in this plan in order to increase visibility.
- The City Forester will develop the tree plan.
- A nice portable restroom facility will likely be installed.
- Native landscaping, street lighting, and visibility will be emphasized.
- Milton Court has adequate parking on both sides. The other side of Milton Court is zoned commercial.
- Through Metro, the City has use of 13 acres of green space to north.
- Bike racks will be installed.
- Nine-foot basketball rings are discouraged due to damage caused by dunking.

#### **PUBLIC TESTIMONY**

None

#### **PUBLIC HEARING CLOSED**

Commissioner Munro moved that, based upon the presentation by staff, the Planning Commission recommend to the City Council to adopt the Bonita Park Master Plan, incorporating comments heard from the Planning Commission at this meeting. Commissioner Bienerth seconded the motion. A voice vote was taken and the motion passed unanimously.

### **4.3 SUMMERLAKE PARK MASTER PLAN**

Dan Plaza gave a PowerPoint presentation on the Summerlake Park Master Plan (Exhibit B).

Discussion items:

- There is a very active dog park committee and maintenance of grass in the dog and other areas is not anticipated to be a problem. The grass will likely need to be restored after five years. Staff will check into whether there is a specific type of grass that would be more suitable for the dog area.
- Development of the water areas will be reviewed by the City's risk department. The final plan will be reviewed by the City's insurer.
- Native plantings and low or no irrigation is encouraged.
- Construction of the project will be phased over two years, but the order in which specific areas are developed has not been prioritized. The playgrounds and picnic shelters are likely to be developed first.



**PUBLIC TESTIMONY IN FAVOR**

Michael Cox, 16697 SW 108<sup>th</sup> Ave., Tigard, OR 97224 – is a dog owner and member of the dog park committee. The 8-person committee is very committed to maintenance of the park through volunteers. Park users will be encouraged keep dogs on-leash—use off-leash area. Numerous steps have been implemented to maintain cleanliness and park aesthetics. He supports the plan.

Chris Garsteck, 11774 SW 125<sup>th</sup> Ct., Tigard, OR 97223 – lives in Summerlake Park area and member of the dog park committee. The City park master plan shows a need for three dog parks in Tigard. A survey at last year's balloon festival showed 90% of citizens are in favor of an off-leash dog park. She recommends approval of this plan with an off-leash dog park area. Dog Park volunteers are working with Susan Koepping to coordinate park maintenance efforts.

Steven Topp, 12566 SW Bridgeview Ct., Tigard, OR 97223 – lives in Winterlake area—area residents are in favor of the park plan as proposed. A skateboard park is not suitable for this area.

Michelle Sittel, 17085 SW Eldorado, Tigard, OR 97224 – member of dog park committee – testified in support of the Summerlake Park Plan as proposed.

Jonathan Male, 12910 SW Winter Lake Dr, Tigard, OR 97223 – signed up to speak, but chose not to.

Christie Smith, 11320 SW Ambiance Ct., Tigard, OR 97223 – signed up to speak, but chose not to.

Gene McAdams, 13420 SW Brittany, Tigard, OR 97223 – wants the record to show that the citizens who participated in development of this plan recommended against the skate park and the BMX facility. These facilities are not suitable to the nature of this park; the space required would diminish the beauty and benefits of the park. It would be helpful if the square footage of the maintenance building were specified. He recommends that the building blend into the park in a harmonious fashion. Endorses open space in the park.

The Planning Commission noted that limited resources will ensure that the building will not be any larger than is necessary.

**PUBLIC TESTIMONY IN OPPOSITION**

None

**PUBLIC HEARING CLOSED**

Discussion items:

- The Planning Commission endorses open spaces in the park.

- The off-leash dog area in front of the maintenance building will help to screen the building. A road on the west side of parking lot goes through the trees to access the facility.
- Use native plantings as much as possible.
- Have some areas that have no or low irrigation needs.
- Use a more hardy grass for the dog area.

Commissioner Bienerth moved that, based upon the presentation by staff and testimony heard at this hearing, the Planning Commission recommend to the City Council to adopt the Summerlake Park Master Plan, incorporating comments heard at this meeting. Commissioner Anderson seconded the motion. A voice vote was taken and the motion passed unanimously.

**5. OTHER BUSINESS**

None

**6. ADJOURNMENT**

The meeting adjourned at 8:15 p.m.

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Jerree Gaynor, Planning Commission Secretary

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ATTEST: President Mark Padgett

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF July 23, 2002

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE Preview Tigard Blast

PREPARED BY: Jim Hendryx DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

ISSUE BEFORE THE COUNCIL

Update Council on activities of the Tigard Central Business District Association (TCBDA).

STAFF RECOMMENDATION

No action necessary.

INFORMATION SUMMARY

A representative of the TCBDA will provide an update of TCBDA activities, including the upcoming Tigard Blast.

OTHER ALTERNATIVES CONSIDERED

N/A

VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

Community Character & Quality of Life - Community Events, #1 - Develop overall approach for sponsoring community events that establishes balance among popular or traditional standing events, requests for support of new events and limited City resources.

ATTACHMENT LIST

N/A

FISCAL NOTES

N/A

AGENDA ITEM # \_\_\_\_\_  
FOR AGENDA OF July 23, 2002

CITY OF TIGARD, OREGON  
COUNCIL AGENDA ITEM SUMMARY

ISSUE/AGENDA TITLE A Resolution to Approve Findings for an Exemption from the Competitive Bidding Requirement to Qualify the Construction of the New Tigard Library as a Construction Manager/General Contractor (CM/GC) Contract

PREPARED BY: A.P. Duenas DEPT HEAD OK \_\_\_\_\_ CITY MGR OK \_\_\_\_\_

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ISSUE BEFORE THE COUNCIL

Local Contract Review Board (LCRB) Administrative Rule 35.010 requires that a public hearing be conducted by the LCRB to hear comments on the draft findings to qualify the construction of the New Tigard Library as a Construction Manager/General Contractor (CM/GC) contract. Shall the City Council, acting as the LCRB, approve the findings and authorize the procurement of the new library construction through the CM/GC competitive proposal process?

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STAFF RECOMMENDATION

Staff recommends approval of the attached resolution approving the findings and authorizing procurement for the construction of the new Tigard Library as a CM/GC contract.

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INFORMATION SUMMARY

Public agencies have traditionally employed the design-bid-build method of project delivery for the construction of public projects. However, the traditional method is not always the best way to successfully complete such projects as the Tigard Library. Alternative contracting methods that provide opportunities for success which are not available through the traditional design-bid-build process are often chosen for such projects.

Use of alternative contractive methods in Oregon requires an exemption from competitive bidding (ORS 279.015). For the Library project, that exemption can be granted by the Local Contract Review Board in accordance with LCRB Administrative Rule 35.010. The City's Local Contract Review Board must make findings at a public hearing that:

- It is unlikely that such exemption will encourage favoritism or substantially diminish competition for the contract; and
- The awarding of a CM/GC contract pursuant to the exemption will result in substantial cost savings to the City.

A review of the advantages and disadvantages of the traditional method and two alternative contracting methods (the design-build process and the Construction Manager/General Contractor (CM/GC) method) indicates that the CM/GC project delivery method appears to be the procurement method best suited for successfully constructing the new Tigard Library with time constraints, cost, and quality as major considerations. The CM/GC method allows the City to control of the design throughout most of that process, ensures that constructability of the project is addressed during the design phase, and provides the City with a Guaranteed Maximum Price before the design plans and specifications are completed. This project delivery method encourages a collaborative effort among the participants and provides the City with the best opportunity to complete the new library in a timely manner, within budget, at the level of quality expected, and with a minimum of changes during the construction phase.

The attached resolution and findings are submitted for LCRB consideration. Approval of the resolution and attached findings, following a public hearing to hear comments on the draft findings, authorizes the exemption from the competitive bidding requirement and allows the procurement of the library construction through the CM/GC competitive selection process.

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#### OTHER ALTERNATIVES CONSIDERED

Procure the library construction through the traditional design-bid-build method.

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#### VISION TASK FORCE GOAL AND ACTION COMMITTEE STRATEGY

The design and construction of the new Tigard Library supports the Tigard Beyond Tomorrow Urban & Public Services, Goal #3 – *Adequate facilities are available for efficient delivery of life-long learning programs and services for all ages.*

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#### ATTACHMENT LIST

Resolution to approve the findings and authorize procurement through the CM/GC Method  
Attachment 1 to the Resolution (Findings for an Exemption from the Competitive Bidding Requirement)

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#### FISCAL NOTES

No costs are incurred at this point. The library project is estimated to be a \$14.2 million dollar project with up to \$13 million in bonds approved by Tigard citizens in the May 21, 2002 election. The rest of the funds are provided through two bequests and from City contributions.

**LOCAL CONTRACT REVIEW BOARD  
CITY OF TIGARD, OREGON**

**RESOLUTION NO. 02-\_\_\_\_\_**

**A RESOLUTION TO APPROVE FINDINGS FOR AN EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENT IN ACCORDANCE WITH CITY OF TIGARD LOCAL CONTRACT REVIEW BOARD ADMINISTRATIVE RULE 35.010 TO QUALIFY THE CONSTRUCTION OF THE NEW TIGARD LIBRARY AS A CONSTRUCTION MANAGER/GENERAL CONTRACTOR CONTRACT.**

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**WHEREAS**, on May 21, 2002, the voters approved a general obligation bond issue for the construction of a new city library; and

**WHEREAS**, on May 28, 2002, City Council approved Ordinance No. 02-21 to allow Construction Manager/General Contractor contracts upon approval of certain findings at a public hearing; and

**WHEREAS**, on July 23, 2002, City Council, acting as the Local Contract Review Board, conducted a public hearing to take comments on draft findings as required by Administrative Rule 35.010; and

**WHEREAS**, City Council finds that the construction of the new city library may be best accomplished through a Construction Manager/General Contractor contract.

**NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council, acting as the Local Contract Review Board, that:**

**SECTION 1:** The findings shown in Attachment A are hereby approved.

**SECTION 2:** The New Tigard Library construction is hereby exempted from the competitive bidding process and qualifies for procurement as a Construction Manager/General Contractor contract through the competitive proposal process.

**SECTION 3:** This resolution is effective immediately upon passage.

**PASSED:** This \_\_\_\_\_ day of \_\_\_\_\_ 2002.

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Local Contract Review Board Chair - City of Tigard

**ATTEST:**

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City Recorder - City of Tigard

C:\WINDOWS\TEMP\RESOLUTION APPROVING THE CM-GC PROCESS.DOC

LOCAL CONTRACT REVIEW BOARD RESOLUTION NO. 02 - \_\_\_\_

## **CITY OF TIGARD**

### **NEW LIBRARY PROJECT**

# **FINDINGS FOR AN EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENT**

The New Tigard Library Project is proposed for construction through the Construction Manager/General Contractor competitive selection process. The following are findings for an exemption from the competitive bidding requirement in accordance with Local Contract Review Board Administrative Rule 35.010.

**Finding: It is unlikely that such exemption will encourage favoritism or substantially diminish competition for the contract.**

**Discussion:** The CM/GC is selected through a competitive selection process to provide both construction management and general contracting services. No reduction of competition is expected since the proposed process is open to the same contractors that would have participated in the traditional low bid method. Uniform evaluation criteria will be used in the selection of the CM/GC firm, and the construction work elements will be subcontracted and procured through open bids managed by the CM/GC.

**Finding: The awarding of a CM/GC contract pursuant to the exemption will result in substantial cost savings to the City.**

**Discussion:** Substantial cost savings are expected through adoption of the CM/GC process. The following are the reasons supporting the expectation that substantial cost savings would be realized:

- This method has the potential for achieving significant cost savings through early involvement of the contractor in the design phase of the project. By having the contractor available in the early stages of the design, the contractor would be able to review the design, propose cost saving revisions, and ensure the constructability of the project so that costly change orders are less likely.
- Construction of the library involves a wide range of construction elements ranging from the various building trades to public street improvements. Cost saving are expected from the CM/GC being able to separately contract for each of the elements.
- The CM/GC method avoids the cost in time and money involved in rebidding of the project, should bids come in higher than expected. A traditional bid process runs the risk of obtaining bids that exceed the project budget. In the CM/GC project delivery method, construction costs are determined at an earlier time and changes to the design and scope of the project necessary to meet the project budget are more easily achieved.